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October 1991
Number 16

FIRST THINGS

A Monthly Journal of Religion and Public Life

The God of Abraham & the Enemies of "Eurocentrism"
Jon D. Levenson

Why the News Makes Us Dumb
John Sommerville

The Constitution & the Erotic Self
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The Popes and the Economy
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The Myth of the Civil War
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Also: God and Man at Tuscaloosa • My Mother, the Expert
I Want To Burden My Loved Ones • What Can Be Asked of a Judge
The Politics of Religious Freedom

Reviews and Opinion: Charlotte Allen • John P. Sisk
Dean M. Kelley • Leslie E. Gerber • Norval Glenn • Paul C. Vitz

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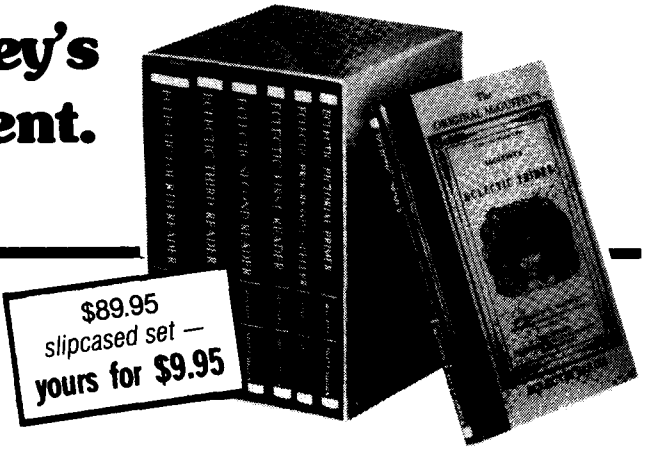

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FIRST THINGS

A Monthly Journal of Religion and Public Life

OCTOBER 1991 • ISSUE 16

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Editor-in-Chief: *Richard John Neuhaus*
Editor: *James Nuechterlein*
Managing Editor: *Matthew Berke*
Poetry Editor: *Nathan A. Scott, Jr.*
Publisher: *Institute on Religion and Public Life*
Publishing Services: *Publishing Management Associates*

First Things (ISSN #1047-5141) is published monthly (except for combined issues June/July and August/September) for $24 per year by The Institute on Religion and Public Life, 156 Fifth Avenue, Suite 400, New York, NY 10010. Second class postage paid at New York, NY and additional mailing office. POSTMASTER: Send address changes to First Things, P.O. Box 3000, Dept. FT, Denville, NJ 07834. **Editorial Offices:** The Institute on Religion and Public Life, 156 Fifth Avenue, Suite 400, New York, NY 10010. **Editorial Phone:** (212) 627-1985. **Advertising Offices:** 129 Phelps Avenue, Suite 312, Rockford, IL 61108. **Advertising Phone:** (815) 398-8569. **Subscription Department:** P.O. Box 3000, Dept. FT, Denville, NJ 07834. Unsolicited material cannot be returned unless accompanied by sufficient return postage. Newsstand distribution by Eastern News Distributors, Inc., 1130 Cleveland Rd., Sandusky, OH 44870.

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FIRST THINGS

FIRST THINGS is published by Religion and Public Life, an interreligious, nonpartisan research and education institute whose purpose is to advance a religiously informed public philosophy for the ordering of society. RPL also sponsors scholars conferences, consultations, research projects, public educational events, and a fellows program.

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Decter Pro and Con

Midge Decter's "Farewell to the Woman Question" (June-July) was a superb little piece. She cuts through the two decades of self-deception, bullying, and patronizing since the so-called Sexual Revolution established its tyranny over American social life. Decter reveals the true fallout with startling candor: increased pride, self-pity, and narcissism among women, and sheepish apology for whatever-it-is-they've-done among men, coupled with eagerness to accommodate, atone, and improve for the decrying women. Many of the men, I add dishearteningly, are clergy. But for her insight we are all indebted to the Angelic Decter. . . .

L. A. Carstens
Torrance, CA

I offer my sympathy to Midge Decter. How unfortunate that she must endure the trifling conversation of successful women. And how unfortunate for us that we must subsequently endure her frustration in a less than unequivocal pledge to refrain from indulging in the tedious pastime of commenting on the "woman question." I am confident that many heads and tongues were clucking in unanimous applause for the derision of "libbers."

Yes, I am acquainted with these women and with those who cling tenaciously to an agenda long since accomplished. But I try to bear patiently and lovingly with them in appreciation for the courage of their stalwart challenge to a status quo which rendered choice . . . an option for few women.

This reader is grateful for our Lord's generous blessings, not least of which is the inspiration of women who persistently, though perhaps not quietly, handle the daily demands and rewards of living in a community that only recently accorded women the respect inherent in the ability and permission to make choices.

Mary Beth Marschik
Hummelstown, PA

Christian Politics?

I am honored that you chose to publish a review of my book *The Scattered Voice: Christians at Odds in the Public Square* (June-July), and I am thankful for the positive things that my friend Dean Curry had to say about it in his review.

My disappointment in reading the review, however, was to discover that Dr. Curry chose to review a book that I did not write, and it mystifies me why he chose to write what he did. I feel compelled, therefore, to clear up a few things for your readers.

First of all, the book is *not* about "political differences that divide American evangelicals." It is about the full spectrum of contending Christian positions in America today. In four of the seven main evaluative sections, I do indeed discuss those who might be considered evangelicals—as Curry points out. But nowhere does he even mention the fact that in other important sections the book evaluates work of the American Catholic Bishops, statements from several mainline Protestant churches, and publications of M. Douglas Meeks, Max Stackhouse, Richard John Neuhaus, Michael Novak, and several civil rights reformers, including Jesse Jackson. Curry ignored all of that. It reminded me of a Soviet reading of history—quite selective.

In the second place, Curry implies that I probably agree with him that "there is no uniquely Christian politics." But he fears that I come "precariously close to arguing for a Christian politics that is *sui generis*." His concluding paragraphs also show that he missed the whole thrust of the book. The book, from start to finish, is an argument for a distinctively Christian view of politics. The fact that the Bible is silent on how the U.S. and others should deal with Saddam Hussein's invasion of Kuwait is totally beside the point of my argument, which is urging the development of a Christian political philosophy. The fact that I attempt, very carefully, to show how a Christian public philosophy needs to take into account the contending views of

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various Christians—as well as our entire liberal/conservative political tradition—does not weaken my appeal for something more fully, integrally, and distinctively Christian. If by *sui generis* Curry means to suggest that I might secretly want to have my own private, gnostic perspective, then he is utterly mistaken. If, on the other hand, he somehow got a glimpse of the fact that I am calling for a biblically grounded and distinctive Christian political philosophy, then he should have seen that I do not merely "come precariously close" to trying to do such a thing; that is precisely what the book is about.

Since I know that First Things is about "truth telling," no matter how hard it hurts, I hope you will publish these few words of truth to illuminate Curry's review of my book.

James W. Skillen
Executive Director
The Center for Public Justice
Washington, D.C.

Dean Curry Replies:

I am sorry that Jim Skillen feels that I have misrepresented his book. Although my review of *The Scattered Voice* is critical—which, of course, is the function of all reviews—on balance I am positive about the book. Dr. Skillen complains that I have misrepresented his book, that it is *not* about political differences that divide American evangelicals. Skillen does devote three sections of his book to an evaluation of individuals who are not usually associated with American evangelicalism. However, this does not alter the fact that *The Scattered Voice* is written to, and with an interest in, the world of American evangelicals—that religious subculture with which Skillen is closely identified. In this regard, it is not irrelevant to point out that Skillen's publisher is a mainstream evangelical publishing house.

With respect to his second complaint, I am afraid that Skillen has misunderstood my argument. I am fully aware that Skillen's book is "an argument for a distinctively Christian view of politics"—this is the heart of what might appropriately be called the Jim Skillen Project. It is precisely this view that I challenge in the final paragraphs of my review. I believe biblical teaching and Christian discipleship do have important implications for the way we think about and do politics. Nevertheless, I believe that it is wrong to argue, as Skillen does, that we can define a *distinctive* Christian politics—that is, a political vision or public philosophy that is uniquely Christian. (It is in this sense that I used the term *sui generis*.) Unlike Skillen, whose Reformed theology bears the mark of strong Dooyeweerdian influences, I am persuaded by a more traditional reading of Reformed theology that understands politics as earthly service on behalf of the holy kingdom. There is nothing holy or special about the tasks of politics, just as there is nothing holy about any of the common tasks of common culture. Christians have access to the truths of common culture the same way as do non-Christians, through common grace. Christians have no special wisdom regarding politics; prudence is a gift to all men and women.

I continue to appreciate Jim Skillen's thoughtful contribution to the forging of a biblically based Christian approach to public philosophy. I believe my friend is misguided, however, in his quest to define a *uniquely* Christian third way.

Halakhah and Modernity

My friend David Singer has once again enriched discussion and punctured stereotypes by knowledgeably discussing a sophisticated contemporary apostle of Orthodox Judaism ("The Unmodern Jew," June/July). I am afraid, however, that there is more (or perhaps less) to David Bleich and the halakhic school he represents than the refreshingly unmodern unself-consciousness that his essay celebrates. Simply put, a fair reading of Rabbi Bleich's stunningly erudite *oeuvre* indicates that if he is untroubled by the anxieties of modernity it is not because he has somehow transcended or dissolved them but because he has never experienced them, and certainly never respected them. Bleich's method is not, as David Singer says, "beyond modern consciousness" but prior to it. Indeed, his halakhic method proceeds utterly through resolutely antiseptic, positivist (in the jurisprudential sense) categories, untouched by notions of historical change or the larger purposes of the halakhah as law for the community or vessel of the spirit.

While in the responsum to which David Singer chiefly directs our attention Rabbi Bleich comes to the edifying conclusion that deaf-mutes may be accepted as full-fledged members of the community, he does so through so narrow a method that what we would think of as a moral Judaic result depends wholly on the ingenuity and (as Singer says) "personal predilections" of the lone rabbinic decision-maker, unaided by the categories of his discipline. He rather disingenuously accords the deaf-mute an halakhic personhood as the result of the secular world's having regarded him as educable in the first place. Were it not for that fortuity, nothing in his own interpretive canons, so it seems, would have led him to conclude that deaf-mutes are also fashioned In His Image and should be educated, and afforded the opportunity of consciousness and expression, just like anyone else. Left to its own devices this failure to acknowledge the moral and social dimensions already at work, *nolens volens*, in the halakhic process ends up deciding basic questions of war and peace and human dignity by the same terms in which one approaches the *kashrut* of a chicken.

That any authentic Jewish movement must reckon with the normative force of halakhah is unassailable. That David Bleich is a master of halakhic literature is unquestioned. Whether he can in any way serve as a religious/legal guide to Jews, Orthodox or otherwise, who have truly experienced the liberations and disillusionments of modernity is another matter entirely.

Yehudah Mirsky
Washington, D.C.

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Truth and Reason

Robert L. Wilken's "The Christian Intellectual Tradition" (June-July) touches on the central issue of religion and public life: truth. In an era of "moving with the times," "self-fulfillment," and "actualizing the community consensus," the ancient question of what is right and true is left begging for an answer. Professor Wilken's article raises hopes of a serious discussion on this topic. "Faith is only as good as its object," he tells us; a logically self-evident, but almost forgotten proposition among those who see truth as a shifting target sought after by the undefined and undefinable "people of good will." . . .

It appears that, while identifying one question, a question of paramount importance, Professor Wilken has answered another, lesser question of the role of reason (and of tradition) in apologetics, ethics, and polity. He wants faith to be a "reasoned conviction." This is not an unworthy goal. We are always to be ready to give an answer for the faith that is in us. On the other hand, I have heard some immature, but nevertheless soundly reasoned, convictions about the Teenage Mutant Ninja Turtles. Reasoned conviction does not protect us from faith in a false object. . . .

Rolf Wegenke
Madison, WI

Sex and Semantics

The perceptive piece on "date rape" ("Boys and Girls: The Long Way Back to the Obvious," The Public Square, May) highlights the fact that while many Americans are reinventing the wheel, many feminists are perversely insisting that it be square rather than round. . . .

Language is enlisted not to communicate truth but as a weapon of war. Swarthmore College's expansion of "acquaintance rape" to encompass even "verbal harassment" is intended to create (1) a class of "victims" to be mobilized as a pressure group, and (2) a class of people who are guilty no matter what they do and can find innocence only in getting permission for everything, i.e., surrender the dominant position in heterosexual transactions to women. Case in point: I happen to be a proud member of the rearguard of the Victorian Age, imbued with both reverence for women and old-fashioned romance, sentiments that find expression in kissing the hands of dates and women friends. I no more think of asking consent for this act than I do for a handshake. The logical conclusion from Swarthmore's training manual is that, analogous to Molière's *bourgeois gentilhomme*, I've been committing rape all my life and never knew it.

As the logic is flawless, such a wrongheaded conclusion can only spring from wrongheaded premises. The feminist position springs not from the premise of our dignity, which applies to men as well as women and would preclude such partisan perversions of semantics, but from responding to the pernicious modern premise that sex is a drink of water with the equally wrongheaded premise that any politically incorrect act by a man is a glass of poison. . . .

John Attarian
Ann Arbor, MI

Liberation Theology

While having enough respect for Michael Novak to read him with openness and humility, I was left disturbed by some of his insinuations in the article, "Liberation Theology—What's Left" (June-July). Novak leaves the reader with the impression that Latin America's devastating poverty is the result of the "misbegotten form of social analysis" employed by the liberation theologians. This not only exaggerates the influence of the liberationists on Latin American economic policy, it obscures the impact of five centuries of colonial/imperial domination. . . . There is an impressive amount of research indicating that the deteriorating condition of the poor majority in Latin America [in recent times] is largely the result of U.S. intervention and the imposition of "American style" democracy and free market capitalism. . . . Whatever the merits of capitalist economic philosophy, the attempt to impose it (or any other economic system) upon Latin American society is doomed to fail unless the basic class/power structure is radically altered. This is the essential conclusion of the liberation theologians' social analysis.

Equally disturbing is Novak's suggestion that the liberation movement has little, or nothing, to offer toward the achievement of democracy in Latin America. Having recently returned from El Salvador, it was my observation that it is only within the base and repatriated communities that one finds genuine democratization of all aspects of social life. While grudgingly admitting that the base communities are "a necessary ingredient for the development of national democratic life," Novak attempts to separate the base movement from its theological context. This is both unnecessary and dishonest. The base communities antedate the articulation of the movement's theology precisely because, since its inception, the liberation movement has been popularly based. These communities are both the context of theological reflection and microcosms of the liberationists' vision for Latin America. Far from being caught unprepared for the "democratic revolution," these communities [offer] the vision, hope, and courage to achieve such a revolution. If there is despair on the part of these poor communities or the theologians who live and write in solidarity with them, it is less due to the change in Eastern Europe than to the prospect of facing unrestrained U.S. hegemonic domination within the emerging "New World Order."

Kalin Grigg
Fort Lewis College
Durango, CO

Saving the Christian College

Your recent two-part essay by James Tunstead Burtchaell ("The Decline of the Christian College," April and May) was insightful and courageous. His suggestion that such schools actively seek out and recruit faculty

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with a competence and interest in both their academic discipline as well as Christian intellectual and cultural tradition is long overdue. Without such "affirmative action" on behalf of Christian scholarship, it is clearly impossible to accomplish that "integration of the sciences and religious faith" which from the time of Newman and before has been the hallmark of a Christian university.

Such efforts will undoubtedly be hampered by secularized and inadequate notions of academic freedom. Much could be accomplished if the recent (September 25, 1990) "Apostolic Constitution on Catholic Universities" of John Paul II were taken seriously and implemented. The virulent anti-authoritarian bias and radical individualism so typical of liberal Christianity these days must be overcome. We desperately need to reinsert ourselves into the larger, longer "living tradition" of the Church.

(The Rev.) Edward Krause
Gannon University
Erie, PA

James Burtchaell's "The Decline and Fall of the Christian College" has occupied a goodly share of my time recently, as the red underlining will attest. . . . This is *must* reading for presidents and board members of colleges where the fight is still on and the battle not yet lost. My college, Whitworth, is one such school. The same may be true for many of the colleges in the Christian College Coalition, a group of about eighty evangelical Protestant schools. . . .

One point that Burtchaell did not make (and is perhaps ignorant of) is that some schools still associated with a denomination find that link to be harmful rather than helpful in the struggle to maintain biblical fidelity. In such cases a close denominational tie is more of a burden than an encouragement. If once upon a time certain church hierarchies were populated with ignorant but faithful clerics, as Burtchaell declares, the story today is too often of sophisticated infidelity in the top echelons of church power. Colleges associated with such denominations must struggle against both secular society and denominational leadership. Under such circumstances the struggle to maintain a semblance of Christian orthodoxy is no small task.

Edwin A. Olson
Whitworth College
Spokane, WA

Churches and Authority

Gilbert Meilaender's article "How Churches Crack Up" (June-July) has helped me find a perspective on the tragic events of the recent history of the Lutheran Church-Missouri Synod. More than anything else I have read, and I have read a great deal from many authors involved in the struggle, Meilaender has identified the issue underneath all the other issues faced in this frustrating and painful controversy. Meilaender helped me to see how the question of authority within the Church, [rather] than something unique to Missouri, has shadowed all of Luth-

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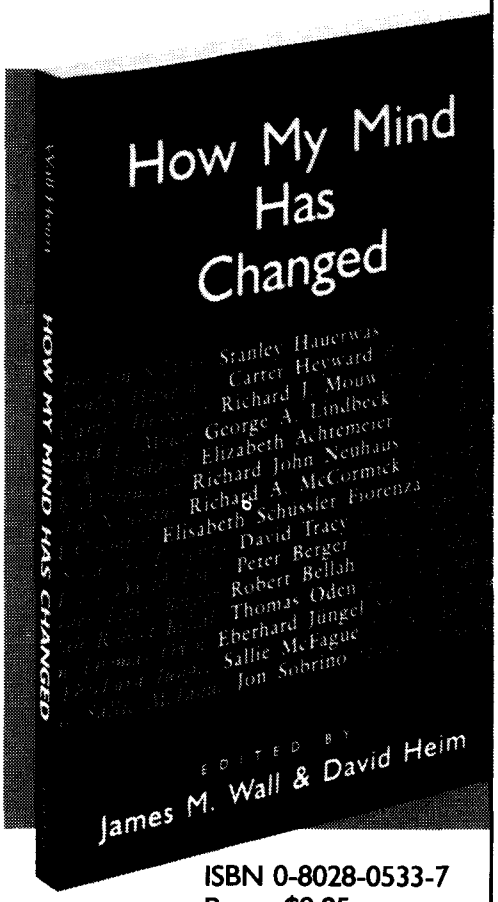

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eran history. Perhaps the problem will never be solved until this confessing movement accomplishes its goal and stands within a Catholic Church renewed by the Gospel. Without a clearly defined and accepted teaching magisterium, a church is doomed to face crisis after crisis. Missouri has found little peace even though the controversy of the 1970s has come and gone.

The Evangelical Lutheran Church in America wrestles with the same dilemma. Several groups compete to speak for the Church and to declare what it is the Church believes, teaches, and confesses. . . . But Lutherans are not alone. Other church bodies have their own problems deciding who speaks for their church. Even in Roman Catholicism, you can find theologians, bishops, and lay who challenge Papal authority to determine what is and is not Roman Catholic teaching. . . .

(The Rev.) Larry A. Peters
Cairo, NY

Ethics and Technology

Max Stackhouse, in his article "Godly Cooking? Theological Ethics and Technological Society" (May), is mistaken in his belief that technology will "liberate the human spirit" and achieve the "purposes of God." It is idealistic to believe that we know how our world ought to work. Only when we accept that we don't know how it ought to work can we develop ethics for technology. We can "liberate the human spirit" and achieve the "purposes of God" only by loving our neighbor as ourselves, with God's help. The purpose of ethics for technology is to allow us to focus on our neighbors and God. We can then live together in the world as God wants us to. . . .

[Stackhouse's] approach to "cooking" . . . is to provide a religious foundation for the cooking. . . . The problem is that, even with a religious basis, we don't know how to transform our world into an ideal world. . . .

We don't know, even with the most precise analysis possible, what the effects are of our changes. Every effort at "cooking" demonstrates that we don't know what we are doing. When we provide some change and view its benefit, there is a drawback associated with it. It is, in most cases, a drawback of which we were unaware when we provided the change. Often, it is not clear which has the greater impact, the benefit or the drawback. Our human nature does not include an ability to know what to change or "cook" to attain God's purposes. . . .

Not only do we not know what we ought to change the world into; we should not be changing the world at all. That is not what we are about. The view that we must "cook" the world to achieve God's purposes may stem from a confusion of the nature of human nature. The way that we human beings gain fulfillment and meaningful lives is through relationships with our fellow humans and with God. . . .

When previous cultures provided religious and ethical guidance in the process of technology, it was not to show that "ought" is built into the process and that "Godly cooking" is possible. The purpose was to provide limits for the process, because it was recognized that we don't know how "things ought to work." We, the modern world, have removed sacred ritual and religious guidance from the process of technology and thus have removed the limits on technology. . . .

Mark Dillon
St. Paul, MN

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FIRST THINGS
OCTOBER 1991

What Can Be Asked of a Judge

A number of important questions touching on religion and public life were raised early on in connection with the nomination of Judge Clarence Thomas to the Supreme Court. One set of questions has to do with his Catholic background, the other with some public statements he has made regarding the role of natural law in jurisprudence.

Columnist Ellen Goodman took alarm when, at the announcement of his nomination, Thomas expressed gratitude to the nuns who had taught him as a child. Virginia's Governor Douglas Wilder immediately proposed that Thomas should be questioned as a Catholic: "The question is 'How much allegiance is there to the pope?' " Goodman, predictably, comments: "It isn't liberals and it certainly isn't Douglas Wilder who have reopened the can of worms marked religion. It's the Catholic hierarchy. American Catholics have often lived with tension between their national character—a feisty don't-tell-me-what-to-think independence—and a religious hierarchy that struggles to contain a set of shared rules and beliefs."

The offense of the bishops, according to Goodman, is that they persist in believing that Catholics should uphold Catholic morality and beliefs. She endorses John F. Kennedy's response of 1960 to the Baptist preachers of Houston when he assured them, in effect, that he would not let his religion impinge upon his politics (or, as it turned out, much else in his life). Hers is but a repeat of the maxim embraced by so many secularists that the only good Catholic is a bad Catholic.

Of course the issue that agitates Ms. Goodman is abortion. She assumes that the abortion license is guaranteed by the Constitution, and it therefore follows that anybody who does not affirm that license is "obeying" some authority other than the Constitution. In this case, she suspects, Thomas would be obeying the "authoritarian" bishops. But, of course, whether or not unlimited access to abortion is guaranteed by the Constitution is precisely what the great legal debate is about. Ms. Goodman, like so many others, simply wants to prejudge the outcome of that debate with a *diktat* in favor of "abortion rights."

A justice is sworn to uphold the Constitution. Judge Thomas' duty would be to interpret the Constitution as accurately as he possibly can. Once a justice has made the moral decision that he can in good conscience swear to uphold the Constitution, his moral judgments on matters before the Court are not in play. At least that is one theory of how the Court should work. Many people, mainly liberals and certainly including Ms. Goodman, don't accept that theory. They believe that justices should be and inevitably are construing the Constitution according to their own morality. Further, they insist that the only morality to be admitted in such decisions is the morality of the "feisty don't-tell-me-what-to-think" variety—so long as justices think the way Ms. Goodman and her like think, especially on abortion.

The morality that must at all costs be excluded is any moral discernment shaped and sustained by communities of tradition. In other words, all traditions are excluded except the modern liberal tradition of the autonomous self, centered in individual rights. This patently self-serving argument imposes, in violation of Article VI of the Constitution, what is in effect a "religious test" that would keep off federal courts not only Catholics but Jews, Muslims, Baptists, and anyone else who adheres to a tradition of moral truth that is sustained by communities that are labeled "religious."

The mindset that would impose the orthodoxy of secular individualism on everyone is also at work in the protest against Judge Thomas' statements on "natural law." The Declaration of Independence declares that "we hold these truths," and these truths are explicitly grounded in the laws of "Nature and Nature's God." Despite many scholarly efforts aimed at demonstrating that the Founders did not believe what they insisted that they did believe, it is manifest beyond doubt that the signers and ratifiers of the Constitution subscribed to a Puritan-Lockean synthesis that emphatically included a strong concept of natural law. Their understanding is embodied in the Constitution.

No judge is free to rewrite the Constitution according to his or her concept of natural law or, for that matter,

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any other moral theory. But that a justice shares the Founders' understanding of the moral grounding of the Constitution would seem to be a strong reassurance, rather than a reason for doubt, that he would faithfully uphold the Constitution that they produced. On the question of natural law, the accusation against Judge Thomas is that he resists those who would lay a moral foundation for the Constitution other than the foundation laid by those who wrote and ratified the Constitution.

Others may make whatever arguments they wish, but it should not be considered disqualifying that a nominee for the Supreme Court agrees with the Founders that our constitutional order is derived from and accountable to a higher law. In the Constitution, they gave political expression to their understanding of that higher law. Finally, the only question that should be put to a nominee for the Court is whether he understands and will be faithful to the Constitution that the Founders produced. All the rest is partisan smoke.

The Politics of Religious Freedom: A Remedy Reconsidered

Many of our readers have been intensely and rightly concerned about threatening turns in the Supreme Court's already monumentally confused rulings on religious freedom. Things came to a head with the April 1990 decision in the case of *Employment Division v. Smith*, otherwise known as "the peyote case." It will be recalled that the Court denied the claim that an Oregon law against the use of peyote violates the religious freedom of members of the Native American Church, in which peyote is part of a sacramental rite. People of good will and clear thought can disagree on whether the Court's decision about the Oregon law was right or wrong. That is not what attracted so much attention to *Smith*.

The alarming element in *Smith* was the reasoning advanced by Justice Antonin Scalia in his opinion for the majority. In that opinion, Scalia seemed to eliminate almost entirely the practical significance of the "free exercise" provision of the First Amendment. For a long time, the Court had followed the doctrine that citizens could claim an exemption from laws that violated their religious freedom, unless the government could demonstrate that there was a "compelling state interest" in overriding such a claim. In addition, the government had to show that it was applying such laws by "the least restrictive means."

Friends of religious freedom thought that, in actual practice, the Court was all too inclined to give the government the benefit of the doubt when laws came into conflict with free exercise claims. But at least there were some theoretical checks on state interference with the free exercise of religion. The majority opinion in *Smith* seemed to toss those checks out the judicial window. Scalia suggested that there was no constitutional right to a religious exemption from laws of general applicability, and if those laws clashed with religious duty, aggrieved parties could go to the legislature to get protection. He casually, and many thought callously, allowed that minority or unpopular religious claims would likely be out of luck, but that's the price we pay for democracy. Not surprisingly, the radical doctrine of *Smith* set off a powerful alarm in the worlds of religious and legal leadership.

Very quickly, a remarkably broad coalition was put together in order to seek a remedy for *Smith*'s evisceration of free exercise. The remedy proposed was the Religious Freedom Restoration Act (RFRA). It was backed by numerous groups, ranging from the American Civil Liberties Union to the National Association of Evangelicals. A number of articles and commentaries supporting RFRA have appeared in the pages of this journal. We still believe that *something like* RFRA is necessary. Appropriately amended, RFRA may be the thing that will do the job. But developments in recent months have made it clear that RFRA in its present form is seriously flawed.

From the start, the legal office of the United States Catholic Conference (USCC) raised questions about RFRA and held back from joining the coalition that was pushing it. Without the support of the USCC, the chances of passing the act in Congress are considerably diminished. At first, those who favored RFRA complained that the USCC was indulging in hypothetical, even fanciful, fears about its possible consequences. The position of the USCC has become more plausible, however, as it has become evident that the coalition is unwilling or unable to address the concerns raised by the Catholic Conference. Moreover, some members of the coalition have made it clear beyond doubt that they intend to use RFRA in precisely the ways that the USCC fears that it might be used.

Among the most pressing concerns are those having to do with abortion, tax exemption, and the participation of religious groups in government programs. It is possible that people could claim a "right to abortion" as part of their right to the free exercise of religion. That is, they would assert that it is their religious duty to abort an unborn child. This is not

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simply a hypothetical possibility. That claim has been made in federal courts before, and has not been decisively turned back. Most tellingly, some pro-abortion groups in the RFRA coalition have explicitly said that they intend to litigate under RFRA in order to secure "abortion rights" as a matter of religious freedom.

With respect to tax exemption and programmatic cooperation between church and state, the Religious Freedom Restoration Act in its present form could turn out to be the Religious Freedom *Restriction* Act. Third parties have in the past and could with renewed force in the future claim that religious tax exemption is a "government expenditure" that violates their religious freedom by forcing them to support religion against their will. On similar grounds, litigants could challenge the participation of religious groups in government-funded programs related to education, child care, and a wide range of social services. Again, this is not simply a hypothetical possibility. Such challenges have been made in the past and are being made now in courts across the country. Most ominously, such challenges are championed by some of the coalition members who are most enthusiastic about RFRA.

There was something suspicious from the start about a coalition that included both the ACLU and the National Association of Evangelicals (NAE). The views of these organizations on a wide range of free exercise questions could hardly be more diametrically opposed. The question arose, Who is using whom? It is in the nature of coalition building that habitual opponents can find overlapping areas of common interest. That, we hoped, was the case with the coalition that backs RFRA. But the ACLU and like-minded members of the coalition have now blown their cover, making clear that their purpose in supporting the act is to create a legal situation that would be even more intolerable than the *Smith* decision that it is intended to remedy.

The United States Catholic Conference has posed some hard and clear questions to the coalition. If the coalition is built on an amalgam of such contradictory motivations that it cannot give a persuasive answer to those questions, it would, in our judgment, be dangerous in the extreme to go ahead with the Religious Freedom Restoration Act. With respect to the protection of the unborn, religious tax exemption, and the participation of religious groups in public programs, the stakes are altogether too high to enact a statute of such uncertain consequence.

So what is to be done? *Smith* is in urgent need of remedy. There are those who say that the Court itself will provide a remedy, that *Smith* was an aberration, that the Scalia opinion was needlessly and perhaps inadvertently broad, that the majority went along only because of the public policy concern about drug use. That is an interesting set of ideas, but religious freedom is far too important to rely on such conjecture. We hope the Court will correct itself, and there are a number of cases before it in this term that could provide opportunity for corrective action.

Meanwhile, however, there is need for a legislative remedy that would provide maximum legal protection for the free exercise of religion. That is what the Religious Freedom Restoration Act was intended to do. Amendments have been proposed that would help preclude the possibly baneful effects of the present bill. If accepting those amendments would mean the departure of some members of the existing jerry-built coalition, so be it. Those who truly care about the vitality of religion in American public life would have much more confidence in an RFRA that is backed by a coalition of the proven friends of religious freedom.

Opinion

God and Man at Tuscaloosa

Peter J. Leithart

A friend of mine, more radical and pessimistic than I, claims that it is illegal to be a Christian in the United States today. Though I find that assessment overstated, not to say hysterical, it can hardly be doubted that public expressions of Christianity have, in the last several decades, been sharply curtailed. The public square, as someone has said, is being progressively denuded of religious references.

The secularization of public space is much more than a matter of crèches in the town square, an issue about which I am blissfully indifferent. Of far more consequence are, for example, the arrests of prolifers for praying or preaching on the streets in front of abortion clinics. Since Christianity necessarily expresses itself in public (faith without works is dead, James tells us, and Paul teaches that we are saved by faith in the heart *and* confession with the lips), legal limitations on these fundamental public expressions of Christianity constitute an attack on Christianity itself. Many cases of this kind have, happily, been resolved in favor of religious liberty. Still, it is chilling to realize how many Americans hold the view that a person may be a Christian so long as he keeps his faith well hidden from public view.

Hostility to public expression of religious faith

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manifests itself even in the arena that purports to be the most open of all public forums—namely, the university classroom. A recent case at the University of Alabama is a good illustration. On March 15, 1991, the U.S. Eleventh Circuit Court of Appeals in Atlanta decided that the administration of the University did *not* violate the First Amendment when it prevented Dr. Phillip A. Bishop, a Christian who teaches graduate and undergraduate classes in exercise physiology, from making religious statements during class and from offering optional classes that offer a Christian perspective on his discipline.

The facts of the case are not in dispute. Both sides agree that Bishop did not engage in proselytizing, prayer, reading from the Bible, or distributing religious tracts. Instead, he was cited because he—gasp!—"occasionally referred to his religious beliefs during instructional time." According to his testimony, he did this under different conditions and for various reasons.

At times, he said, he would refer to his religious convictions in order to establish a more personal relationship with his students—much as other professors spoke about sports or travel to establish rapport with their students—so that they would, in his words, "see me not as a pedagogue up front lecturing but as a real person."

In addition, during discussions about what might be called the academic culture (promotions, tenure, research, etc.), he would emphasize his belief that people are granted eternal life and are thus "more important and valuable than a stack of technical papers." He also offered his religious comments in order to alert students to his religious "bias." Bishop recalled that his comments ran along these lines: "You need to recognize as my students that this is my bias and that it colors everything I say and do. If that is not your bias, that is fine. You need, however, to filter everything I say through that Christian bias filter."

Occasionally Bishop would make remarks that revealed more directly how his religious beliefs were related to the subject matter he was teaching. "Once or twice per month" he would note in class that he thinks "the scientific evidence points to 'a design and a designer.' " And he had offered an optional class entitled "Evidence of God in Human Physiology," but he made sure that attendance at the optional class would have no bearing on any student grade by blind-grading his exams.

During the spring semester of the 1986-87 academic year, a student complained to Bishop's supervisor, Carl Westerfield, about Bishop's religious statements and about the optional class. In September of 1987, Westerfield sent Bishop a memo insisting on the administration's support for Bishop's academic and religious freedom but instructing him to discontinue "the interjection of religious beliefs and/or preferences during instructional time periods" and "the optional classes where a 'Christian perspective' of an academic topic is delivered." Bishop complied with Westerfield's directive but made an unsuccessful effort to get the order rescinded. Then in the fall of 1988, under the sponsorship of the Southern Center for Law and Ethics, he filed suit against the governing board of the University.

On February 26, 1990, a U.S. District court granted a summary judgment in his favor. The Court found that the University "has no interest sufficient to justify restricting a professor's freedom to make occasional classroom comments about personal religious beliefs." On the specific question of the optional class, the Court determined that "a meeting between Bishop and students to discuss subjects of mutual interest is consistent with the University's educational purpose."

In overturning this decision in March, the Eleventh Circuit Court admitted that "the religion clauses are implicated because of the indisputably religious character of Dr. Bishop's remarks," but determined that the more relevant precedents have to do with "cases that discuss the free speech rights of public teachers." These cases indicate that school administrators have "some authority over the conduct of teachers in and out of the classroom that significantly bears on the curriculum or that gives the appearance of endorsement by the university." In the Court's opinion, therefore, the University's memo did not constitute an infringement on Dr. Bishop's free exercise of religion, but only denied him the right to "discuss his religious beliefs or opinions under the guise of University courses." Nor, in the Court's opinion, was the University guilty of establishing an anti-Christian religion, but "has simply attempted to maintain a neutral, secular classroom." In sum, the University is fully within its rights to "control the content of curriculum in the classroom, regardless of the Establishment Clause. The University necessarily has dominion over what is taught by its professors and may so manage them."

In a petition for rehearing before the Circuit Court, Bishop's attorney, Albert L. Jordan, challenged the Court's "balance of interests," namely, "that restrictions on professor classroom speech are valid if reasonably related to legitimate pedagogical goals." Rather, he argued, "the standard is whether the speech is so disruptive as to overbalance the usefulness of an instructor." Measured by this standard, even on the Circuit Court's reading of the evidence, Bishop's religious statements are entirely legitimate. The Circuit Court panel, Jordan continued, "too quickly assumes that every classroom statement by a college professor reflects the *sponsorship* of the school, rather than the toleration of diverse ideas. To this extent, the panel gives academic freedom in the classroom none of its traditional value." On May 17, the Circuit Court denied a petition for rehearing, and Bishop's attorneys are presently preparing an appeal to the

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Supreme Court.

I leave the legal niceties of the case to the lawyers and questions of academic freedom to the academics. To the believer, two aspects of the Court's decision stand out. First, it is patently absurd for the Court to conclude that the religious character of Bishop's statements is not the controlling issue in the case. Obviously, if Bishop had confined his personal remarks to sports or current events, there would have been no complaints from students, no Westerfield memo, no lawsuit. The Courts have long protected all kinds of non-disruptive speech in university classrooms, and the University of Alabama itself has no policy of restricting non-religious classroom speech. In the light of these facts, it becomes clear that the Circuit Court's decision amounts to a defense of religious intolerance. In a time when "political correctness" is a growing concern at our universities, intolerance of minority religious views is not surprising. What is surprising is that a Court should defend an imposition of "political correctness."

Equally alarming is the Court's narrowing of the legitimate expressions of religious faith: "The University has not suggested that Dr. Bishop cannot hold his particular views; express them, on his own time, far and wide and to whomever will listen; or write and publish, no doubt authoritatively, on them; nor could it so prohibit him. The University has simply said that he may not discuss his religious beliefs or opinions under the guise of University courses."

In other words, Dr. Bishop may express his religious beliefs in every available forum except when he is engaged in his life's work, in what he undoubtedly considers his *vocation* of teaching. In making these distinctions, the Court is in effect limiting the range of licit expressions of religious faith, legally defining what forms Christian faith may and may not take. Restrictions on the expression of religious faith are obviously necessary—human sacrifice, however sincere the beliefs of the sacrificers, is not constitutionally protected. But the Court's restrictions are exceedingly confining. From the Court's viewpoint, a professor can be a believer "on his own time," but certainly not on the job; he can "hold" his religious beliefs, but he cannot "interject" them into his courses. It is doubtful that any academic can avoid interjecting some kind of religious belief into his course material. (Would the Court, for that matter, see fit to restrict a believing Marxist in this way?)

For a Christian like Dr. Bishop, for whom religious faith colors everything he says and does, such avoidance is virtually impossible. Many Christian academics strive to approach their specialties from the standpoint of a Christian worldview. The Circuit Court's decision carries the distinct implication that religiously grounded views on an academic discipline are excluded from the college classroom, precisely because they are religiously grounded.

All of which suggests that my pessimistic friend might be on to something after all.

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My Mother, the Expert

Jean Bethke Elshtain

When I was a sophomore in high school in Colorado in the late 1950s, I was required, as were all female students, to take a course in "home economics." The home economics movement had emerged out of a progressivist desire to "scientize" a hitherto amateur activity. The complicated tasks of mothering and homemaking were to follow the time-flow, managerial innovations in other spheres. I recall filling out charts in which meal preparation was divided and subdivided and subdivided again into micro-management tasks of precise refinement: 3:30, wash and snap string beans; 3:52, start water to boil; 4:00, put snapped, washed beans into boiling water; 4:03, after beans have come to a boil, cover and simmer—that sort of thing. One had to check off each task as it was completed and note any variation on the time chart. (I will confess here, for the first time, that I fudged my chart to make it look as if every task got done right on the dot.)

Astonishingly, a meal often resulted from all this, but, more often than not, the poor, beleaguered, scientific cook had lost her appetite. But she could be sustained by the knowledge that she was a pioneer. The experts had designed this, after all, to protect innocent husbands and children from the ministrations of the ill-informed amateur cook. Science had come to the kitchen.

One day—a day of great excitement at Cache La Poudre High School—*a real expert*, a visiting Home Economics Management consultant, sent all the way from the Department of Health, Education, and Welfare, Washington, D.C., no less, was going to do us the honor of presenting the latest scientific research on child management. All of us eager home economics students were enjoined to bring our mothers to the event. Indeed, Mrs. Y. made it very clear that it would be a blot on our own records if our mothers refused to attend.

Prevailing upon my mother to come was made rather easier by the fact that my father was the superintendent of schools. If she were absent it would reflect on him, not just on the daughter who was becoming increasingly vociferous as a supporter of scientifically

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managed households. We, mothers and daughters, all sat round the home economics room. The expert from Washington, D.C. walked in. I stared. I had never seen a professional woman before. She smelled of perfumed soap and her high heels clicked smartly on the freshly waxed schoolroom floor. Her hair was all in place and smooth, like a twirly ice cream cone, and she had a perfectly drawn line where eyebrows usually are. Her skin was pale and smooth, quite unlike that of the ruddier, weather-worn complexions of Colorado women who spent quite a bit of time, whether they were farmers or not, working outdoors. Her talk was entitled: "New Scientific Theories of Child Rearing." I don't remember what those theories were; I just remember feeling impressed at how impressed I felt.

My mother, though, started tapping her right foot—always a bad sign. When the Expert finished she asked for questions, with the most benign and self-certain expression on her face. My mother raised her hand; I sank into my chair. "Tell me," mother asked, "do you have children of your own?" "No," the expert replied, "No, I don't have children but I have studied . . ." Mother cut her off with, "Well, I don't think you have very much to tell us, then." And she got up and left. How humiliated I was. I sat red-faced in my chair, wondering if I should apologize for my mother's shockingly anti-progress, anti-science stance. In the end I didn't. Instead, I fumed for days.

My mother, of course, was right. Not because she was, in our current lingo, "privileging" first-person experience—certainly mother would have countenanced all sorts of narratives of child rearing told by women in diverse circumstances who had had some hands-on experience of it. There wasn't one universal child-rearing experience. But what she would not countenance was the presumption of the managers, the engineers, the promulgators of programs, convinced always that they knew better than the undereducated actually involved in doing such things as childrearing, farming, sewing, preparing food—the presumption that led the "experts" to attempt to eviscerate local knowledge in the name of progress.

In this scheme of things, tradition was always backward, always that which must be overcome. And in the putting down of tradition, it was women who were the losers, their generations-old streams of practical reason brought under pressure to succumb to the superior force of scientific management in all its guises—medicinal, educational, nutritional. That is a long, long story. My mother versus the scientific child-rearer was but one border skirmish in an extended and continuing war.

Perhaps I can put it rather more fancily: It is a mistake, often a mistake for which real people in real situations pay the price, too readily to equate the rhythms of intellectual life with the rhythms of social and political life. It is far easier to seize and abandon epistemological positions, or take categorical positions—to reject this and to embrace that—in intellectual affairs than in dealing with the thick matter of actual lived life. When we don't attend to local knowledge and lived experience, our politics grows eerily abstract and impositional. We begin to assume that because we have arrived at this position or that as a result of oh-so-careful argument, our views must in some sense come closer to the "truth" than positions not similarly thought out or tested through argument.

This, I think, helps to account for the congealment of current political debates. Positions have hardened and become ever more disassociated from their points of origin and concern. They return as alienated constructions—imposed on rather than flowing from the rhythms of everyday life. The widespread sense that all is not well, that something has gone terribly awry, is at least in part a reflection of the alienation of our politics. It is especially a reflection of the increasingly baroque academic forms of politics, which are not only severed from the realities of life as confronted by the vast majority of Americans but seem to have become untethered altogether—a kind of *danse macabre* performed by those who, like that Expert from Washington so many years ago, have far too lofty a sense of their overall importance in the scheme of things. But preaching humility to academics is like telling my Sheltie not to bark: an exercise in futility. The whole point of this short vignette, then, is simply to let my mother know that she was right.

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I Want To Burden My Loved Ones

Gilbert Meilaender

Recently I was a speaker and panel member at a small educational workshop on "advance directives" sponsored by the ethics committee of our local hospital. The workshop was an opportunity to provide information about, and discuss the relative merits of, living wills and durable powers of attorney as different ways of trying to deal in advance with medical decisions that might have to be made for us after we have become incompetent. This is not the first such workshop for me, and I suppose it may not be the

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last. And I was struck, as I have been before, with the recurrence of a certain theme.

Many people come to such a workshop already quite knowledgeable about the topic to be discussed. They come less for information than for the opportunity to talk. Some earnestly desire the chance to converse about a troubling issue; a few just want to express themselves. In either case, however, it is remarkable how often they may say something like the following: "I'm afraid that if my children have to make decisions about my care, they won't be able to handle the pressure. They'll just argue with each other, and they'll feel guilty, wondering whether they're really doing what I would want. I don't want to be a burden to them, and I will do whatever I can in advance to see that I'm not." And after someone has spoken words to this effect, there will be a chorus of assent from the people who, evidently, share the speaker's view.

Now, of course, we can in many ways understand and appreciate such a perspective. None of us wishes to imagine his children arguing together about who really knows best how he should be treated (or not treated). We hate to think that our children's last thoughts of us would be interwoven with anger at each other, guilt for their uncertainty about how best to care for us, or even (perhaps) a secret wish that we'd get on with the dying and relieve them of this burden.

Nonetheless, as the workshop wore on, I found myself giving it only a part of my attention, because I couldn't help musing on this recurring theme. Understandable as it surely is in many respects, there is, I am convinced, something wrong with it. I don't know how to make the point other than a little too crassly—other than by saying that I want to be a burden to my loved ones. But, rightly understood, I think I do.

The first thought that occurred to me in my musings was not, I admit, the noblest: I have sweated in the hot sun teaching four children to catch and hit a ball, to swing a tennis racket and shoot a free throw. I have built blocks and played games I detest with and for my children. I have watched countless basketball games made up largely of bad passes, traveling violations, and shots that missed both rim and backboard. I have sat through years of piano recitals, band concerts, school programs—often on very busy nights or very hot, humid evenings in late spring. I have stood in a steamy bathroom in the middle of the night with the hot shower running, trying to help a child with croup breathe more easily. I have run beside a bicycle, ready to catch a child who might fall while learning to ride. (This is, by the way, very hard!) I have spent hours finding perfectly decent (cheap) clothing in stores, only to have these choices rejected as somehow not exactly what we had in mind. I have used evenings to type in final form long stories—longer by far than necessary—that my children have written in response to school assignments. I have had to fight for the right to eat at Burger King rather than McDonald's. Why should I not be a bit of a burden to these children in my dying?

This was not, I have already granted, the noblest thought, but it was the first. And, of course, it overlooks a great deal—above all, that I have taken great joy in these children and have not really resented much in the litany of burdens recited above. But still, there is here a serious point to be considered. Is this not in large measure what it means to belong to a family: to burden each other—and to find, almost miraculously, that others are willing, even happy, to carry such burdens? Families would not have the significance they do for us if they did not, in fact, give us a claim upon each other. At least in this sphere of life we do not come together as autonomous individuals freely contracting with each other. We simply find ourselves thrown together and asked to share the burdens of life while learning to care for each other. We may often resent such claims on our time and energies. We did not, after all, consent to them. (Or, at least, if we want to speak of consent, it will have to be something like that old staple of social-contract theorists, tacit consent.)

It is, therefore, understandable that we sometimes chafe under these burdens. If, however, we also go on to reject them, we cease to live in the kind of moral community that deserves to be called a family. Here more than in any other sphere of life we are presented with unwanted and unexpected interruptions to our plans and projects. I do not like such interruptions any more than the next person; indeed, a little less, I rather suspect. But it is still true that morality consists in large part in learning to deal with the unwanted and unexpected interruptions to our plans. I have tried, subject to my limits and weaknesses, to teach that lesson to my children. Perhaps I will teach it best when I am a burden to them in my dying.

This was my first thought. It led to a second. Perhaps it is a good thing, lest we be tempted to injustice, that the dying burden the living. Some years ago Robert Burt wrote a book about medical decision-making for incompetent patients. The book's title was *Taking Care of Strangers*. Burt's point, which carried a *double entendre*, was essentially this: Patients who are unable to make decisions for themselves are often in a state (e.g., severely demented, comatose) in which they become strangers to us. They make us uneasy, and we react with ambivalence. And to say, "I'll take care of him" about such a patient may be a statement freighted with ambivalence. Burt worries that, no matter how devoted our care, our uneasiness with a loved one who has become a stranger to us may prompt us to do less than we ought to sustain his life. (Nor, should we note, are physicians immune to such uneasiness.) It is, therefore, essential that we structure the medical decision-making situation in

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such a way that conversation is forced among the doctor, the medical caregivers, the patient's family, and perhaps still others, such as pastor, priest, or rabbi. Advance directives, designed to eliminate the need for such extended conversation—lest it should burden loved ones—are, from this perspective, somewhat problematic. They may not force us to deal with our own ambivalence in "taking care of" a loved one who is now a burdensome stranger.

This does not mean that advance directives are entirely a bad idea. It does suggest, however, that a durable power of attorney for medical care—in which we simply name a proxy to make decisions in the event of our incompetence—is better than a living will in which we attempt to state the kinds of treatment we would or would not desire under a variety of medical circumstances. At this point in my life, for example, I would surely turn over to my wife my power of attorney. In doing so I simply announce to medical caregivers: "Here is the person with whom you must converse when the day comes that you cannot talk with me about my medical care." I myself do not particularly like the recently fashionable attempts to combine the two forms of advance directives by naming a proxy *and* giving that proxy as much detail as possible about what we would want done. That move—though, again, it will be seen as an attempt to avoid burdening the loved one who must make such decisions—may not, in any case, accomplish our aim. What it commits us to is an endless, futile search to determine what a now-incompetent person would wish. Still more important, it is one last-ditch attempt to bypass the interdependence of human life, by which we simply do and should constitute a burden to those who love us.

I hope, therefore, that I will have the good sense to empower my wife, while she is able, to make such decisions for me—though I know full well that we do not always agree about what is the best care in end-of-life circumstances. That disagreement doesn't bother me at all. As long as she avoids the futile question, "What would he have wanted?" and contents herself with the (difficult enough) question, "What is best for him now?" I will have no quarrel with her. Moreover, this approach is, I think, less likely to encourage her to make the moral mistake of asking, "Is his life a benefit to him (i.e., a life worth living)?" and more likely to encourage her to ask, "What can we do to benefit the life he still has?" No doubt this will be a burden to her. No doubt she will bear the burden better than I would. No doubt it will be only the last in a long history of burdens she has borne for me. But then, mystery and continuous miracle that it is, she loves me. And because she does, I must of course be a burden to her.

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Allee-Allee-Enfree

Nutshells on patched linoleum,
cracks skipped over
on the long sidewalk home,
hide-and-go-seek game
we stopped counting.

Still sometimes we hunt
for that small face,
ragged sleeve above
a chapped hand.
We search beneath
decayed porches, through
yards full of dry weeds
and rusted cans.

The blown years blanket
our steps, leaving
only here and there
a dull gleam like spent
cartridges beneath
another Autumn's leaves.

B. R. Strahan

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The God of Abraham and the Enemies of "Eurocentrism"

Jon D. Levenson

Half a century ago, on March 9, 1940, with the world collapsing into a war that was to exceed the worst nightmare, the great German novelist Thomas Mann delivered a brief radio address entitled "The Dangers Facing Democracy." "The streamlined, artificial anti-Semitism of our technical age," warned Mann, "is no end in itself; it is nothing but a wrench to unscrew bit by bit the whole machinery of our civilization."

> Anti-Semitism is like a hand-grenade tossed over the wall to work havoc and confusion in the camp of democracy. This is its real end and main purpose.

Mann's goal was to shock out of their apathy those who were ashamed of racial hatred but leery of coming to the aid of the Jews. Broadcasting from New York, he warned that the peoples of Europe discovered too late that "the onslaught against the Jews was but the starting signal for a general drive against the foundations of Christianity."

> That humanitarian creed for which we are forever indebted to the people of the Holy Writ originated in the old Mediterranean world. What we are witnessing today is nothing else than the ever-recurrent revolt of unconquered pagan instincts, protesting against the restrictions of the Ten Commandments. The Jews of Middle Europe had the misfortune, as living exponents of old Mediterranean culture, to earn the wrath of the younger Nordics first.

The Jews were thus only the first and most vulnerable target of the Nazis. The onslaught against them would inevitably become an attack on democracy, on Christianity, on the Mediterranean world in which the Western tradition was spawned, and ultimately on the moral life itself, the idea that instinct must yield to externally imposed restrictions. To Thomas Mann, Nazism signified the revolt of the pagan gods of northern Europe against the God of Israel, the Mediterranean Deity in Whose name a new moral order had been imposed upon the Nordics. That the revolt should have first targeted the people of Israel made perfect sense: this was the people whose very existence witnessed to that God and thus negated the deities of blood and soil with whom the Nazis struggled to replace Him. In the deepest sense, the war engulfing Europe even as Mann spoke was about more than politics: it was about theology. The conclusion of his radio address on that dark day expressed the hope that out of the suffering of the Jews might yet come something of universal value:

> Let us hope that this new Twilight will not bring about the pagan god's resurrection, but will be followed by Dawn. Let us pray that the martyrdom of the Savior's people may turn into salvation for a whole suffering world.

Eight years earlier, the Protestant theologian Paul Tillich had sounded the same note in an essay on "The Early Hegel and the Fate of Germany." Despite the focus on the youthful work of a philosopher dead for a century, the essay delivered an unmistakable

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message about Germany as it was about to sink into the degradation of the Third Reich: the Lord of time has vanquished the gods of space, the peoplehood of the modern Germans is inextricable from their Christianity, and their Christianity is necessarily and inevitably associated with Judaism.

> Our history does not allow itself to be taken back, the polytheism of coexistence in space will not return. Through Judaism and Christianity, we have become a people bound up with time. The Jewish principle has become our peculiar destiny, and a *secessio judaica* would be a disconnection from our very selves.

The great contribution of Judaism, warned Tillich, was to break down the attachment to space, negating the polytheism of the nations through the principle that Hegel called "opposition": "bondedness to place, immediacy, and paganism are not the truth of human experience." For his own opposition to the neo-paganism of the Third Reich, Paul Tillich paid dearly. A year after "The Early Hegel and the Fate of Germany" was published, Tillich began his long exile in the United States.

Were the Nazi position so clearly paganistic as Mann and Tillich represented it, the question of why so many churchmen went along with the movement—some even hailing and lionizing it—would be an enduring conundrum. Surely, the Church had a stake in the preservation of the legacy of the Mediterranean culture that gave it birth and would have resisted an effort to replace Jesus with Wodan or Thor. The truth is that even apart from the theology of the *Deutsche Christen* (Christians of Nazi persuasion) the claim that the Nazis sought to replace the Christian deity with the Nordic deities falls short of doing justice to the movement. It would be more accurate to say that they sought to *reconstruct* Christianity so as to make it appropriate for Nordic peoples, as they conceived them, that is, to reformulate Christianity so that it would no longer be biased toward the Jews and other Mediterraneans. The Nordic reformulation of Christianity is not only more subtle than the rank paganism of blood and soil that Mann and Tillich described, but also more insidious, and—I maintain—a more durable challenge to Western monotheism than has generally been recognized.

In the cultural program of Alfred Rosenberg, the chief theorist of the National Socialist Movement, for example, a prime objective was to recover Jesus from the Jewish falsification of him to which the Church had early on capitulated. "There is no proof," wrote Rosenberg, "for the often-made claim that Jesus was a Jew. Indeed, there is much to show the contrary. Jesus possibly was an Aryan, or partially so, showing the Nordic type strongly." For Rosenberg and other Nazis, the "Nordic type" was not only a physical characteristic but a matter of fundamental spiritual posture. According to them, the true Nordic practices an ethic that is the polar opposite of the ideal of humility, subservience, and nonviolence that has so long been enforced by reference to the authority of Jesus. That this was indeed an imposition upon the historical Jesus Rosenberg sought to establish by citing the earliest gospel, Mark:

> But to resist evil and to turn the left cheek when the right one is struck are womanish exaggerations which are not to be found in Mark. These are falsified additions by other persons. Jesus' entire existence was a fiery rebellion. Only inwardly bastardized men have laid value on a doctrine of cowardice. . . .

Engineering this imposition was the Roman Church, acting from an ambition to dominate.

> It was in the interest of the Roman Church, with its lust for power, to represent subservient humility as the essence of Christ in order to create as many servants as possible for this motivated ideal. To correct this representation is a further ineradicable requirement of the German movement for renewal.

Behind the self-interested distortion of Christianity imposed by Rome lay, in turn, a non-Aryan religion that could never succeed in its goal of vanquishing the Nordic spirit: "This Syrian-African superstition, despite fire and sword, could never be forced upon Europeans." Indeed, the pagan deities reappeared in Europe precisely in the guise of saints of the Church Militant: "These [Nordic] gods lived and breathed as St. Oswald, St. George, St. Martin and as armed horsemen." In his own time, Rosenberg believed, the Aryan peoples had it at long last within their power to liberate themselves from the Jewish God and the ethic of cowardice imposed in His name: "Finally, today, there is occurring a fundamental awakening from this power hypothesis: we are not confronting life from the point of an enforced principle that is still of Jewish-Roman-African ancestry." The liberation of the oppressed Aryans from the spiritual oppression that they had internalized required the de-Judaization of Christianity, and this, as always in the history of the Church, entailed the expunction of the Old Testament.

> Accordingly, the so-called Old Testament must be abolished once and for all as a book of religion. By this, the unsuccessful attempt of the last one-and-a-half thousand years to make us spiritually into Jews will be eliminated. This is an attempt for which we, among other things, had to thank our terrible materialistic Jewish rulers.

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Alone, however, this would not suffice, for the Jewishness that had ruined Christianity and, through it, the entire Western world was not confined to the first of the two testaments of the Church's scripture. It also infected the second:

> Thus, Matthew and Paul have provided us with the misfortune of the entire Western cultural world. . . . Our Pauline churches are therefore, in essentials, not Christian. They are the product of the Jewish-Syrian leanings of the apostles.

Rosenberg preferred the Fourth Gospel because of what he perceived as John's "anti-Jewish spirit hostile to the Old Testament." But beside the expunction of most of the Bible, he also saw an urgent need for new scripture. This was to be composed by someone who understood the spiritual imperatives of the time, as most of the established Church did not.

> The necessary fifth Gospel cannot naturally be added by a synod. It will be the creation of a man who experiences the longing for purification very deeply. He probably will have studied the theology of the New Testament.

The tentativeness of the last sentence captures nicely Alfred Rosenberg's ambivalence about Christianity. On the one hand, he recognized that too much of German culture was invested in the Church to allow for a simple revival of the Norse religion as he imagined it. "Beyond question," he wrote, "an epoch of German History—the age of myths—would have come to an end even without the attack of armed Roman-Syrian Christianity," and "no matter how the [Etruscan-Jewish-Roman] system had spread, *it has become ennobled through the devotion of millions of Germans.*" To renounce that heritage would be to repudiate the major symbols of the last millennium and more of German culture.

On the other hand, at the basis of the same heritage lies a book still revered and obeyed by Jews and another book influenced by the Jewish spirit and ethic in ways that are hardly incidental. For Rosenberg, then, a reversion to paganism could never work. Instead, he called for a reformulation of Christianity that would liberate the Nordics from Mediterranean domination and enable them once more to exercise their innate and yet unvanquished capacity for martial heroism. This would be a kind of second Protestant Reformation—with one ominous difference, however: what would be recovered from centuries of Roman hegemony would not be the gospel of all the apostles, but the original Nordic spirit of Jesus, long suppressed by force, but never uprooted from the peoples of the north. This new Reformation was to be the spiritual wing of the German awakening that later plunged the world into war and worse.

Viewed from a certain angle, these theories of Alfred Rosenberg and other Nazis may seem as antiquated as they are repugnant. Nearly half a century since the Third Reich collapsed, Germany is a stable Western democracy, and those who admire Hitler and the positions he espoused have been relegated to the status of a fringe group without access to the democratic processes they despise. Moreover, right-wing racist philosophies of history stand in no higher repute anywhere else, and the few intellectuals willing to express anything even faintly reminiscent of them immediately find themselves the target of broad-based opposition.

As for Rosenberg's view of the Old and New Testaments, here the situation is only slightly more complex. It does seem to be the case that the continuity of Jesus with the Judaism of his time and after are still not so well recognized as they ought to be, with many Christians, simple or learned, much preferring to identify Judaism with the Old Testament and to see it as the problem ("the law," "the God of wrath") for which Jesus and the New Testament conveniently provide the answer ("grace," "the God of love"). Most New Testament scholars are still more at home in the Greek literature of the first two Christian centuries than in the Hebrew, and this does, on occasion, produce a dubious picture of the earliest period of Christianity as more Hellenic than Hebraic. Seldom the result of explicit prejudice, however, this is usually owing to the character of education in the West, in which the Greek and Roman classics are more central than the Dead Sea Scrolls and the Talmud, and Hebrew and Aramaic are thought exotic even among humanistic scholars. But while not without some analogues in the biblical scholarship of his time, Rosenberg's reconstruction of the historical Jesus today commands the allegiance of no credible New Testament scholar. In this case as elsewhere, right-wing racialist historiography is seen not only as amateurish and tendentious, but also as pernicious. Perhaps having been belatedly heeded, the warnings of Thomas Mann and Paul Tillich can be dispensed with in our time.

If one approaches the neo-paganism of the Nazis with an eye to its fundamental assumptions and inner logic, however, the picture is one with a vast and troubling resonance in contemporary American culture. The assumption at the foundation of Rosenberg's edifice of Aryan supremacy was that culture is determined mostly by biology, so that one ethnic group's acceptance of another's cultural legacy is unnatural and takes place only because of violence, "the fire and sword," for example, through which the "Syrian-African superstition" that is Christianity was "forced upon Europeans." If the cultural system is already implicit in the biological self (i.e., the body), then any large-scale cultural shift, such as the Christianization of northern Europe, must be altogether owing to domination and in no sense the result of the greater persuasiveness of the new order, in this

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case the putatively greater persuasiveness of the Christian than the Nordic view of life.

Still less, needless to say, could the change be owing to the gracious providence of God. This being the case, Rosenberg's idealization of martial heroism rests on more than just the romanticization of the Nordic past. It rests also on a thoroughgoing skepticism about even the possibility of reasoned discourse across cultural boundaries. The ostensibly reasonable positions argued in the discourse are only a cover for self-interest, and the self that advances its interest is defined by its biology; it reduces to its body. With reason thus exposed for what it is, coercion is the weapon of choice in the encounter of cultures.

II

Detached from their particular Nazi applications, these assumptions will be immediately familiar to anyone who labors in the intellectual vineyards today. They are most frequently heard in the challenges flung at the "canon" of the classical liberal arts curriculum. Here I am not speaking of those who argue that the great works of blacks, women, and others have been unjustly denied the attention they deserve because of prejudicial attitudes to these groups still dominant within traditional American social structures. For their argument still presupposes standards by which to judge whether a work is great, and its exponents merely seek admission into the larger discourse for works they believe meet these standards—a petition that rests on a view of culture that is eminently traditional in American liberal arts education. Indeed, exceedingly few are the professors who would deny that the "canon" of the humanities has traditionally lacked the fixity and authority that this rather inappropriate theological term implies. I am speaking, instead, of those who regard race, gender, and sexual instinct as the *principal criteria* for determining the worth of authors or artists to be studied, so that opposition to any given candidate is immediately ascribed to the race, gender, or sexual instinct of the opponent himself. Here again the possibility of reasoning across the boundaries is implicitly—and often explicitly—denied and intellectual discourse rapidly degenerates into politics, as the various groups are redefined as factions and the campus comes to resemble the national convention of a political party more than the groves of Academe.

There are a number of ways in which equilibrium can be restored when this happens. One of them is to allocate slots in the curriculum and appointment structure according to the proportions of the duly accredited victimized minority groups in American society. (As we know, many minorities, even some with histories of extraordinary victimization, are denied consideration in the allocation process—e.g., evangelicals, Catholics, Jews, southerners, Mormons.) Beneath this solution for restoring quiet lies the assumption that the university (or the seminary) is a community primarily political in character and that its proper form of politics is a kind of vulgar democratism. Acceptance of this assumption places the affirmation of any given cultural tradition at a disadvantage, since no culture has historically subscribed to an interpretation of itself and its artifacts as political through and through. The subversion and deconstruction of tradition are thus features of the current politicizing of scholarship that are more than adventitious.

And in the last analysis, the restoration of equilibrium through proportional representation still implies the reduction of culture to biology, for any ethnic group will then command only as much attention as the fertility rate of its recent generations allows: higher numbers, more representation; lower numbers, less representation. The irony is that this solution to the academic problem posed by cultural diversity is often advocated by people for whom childbearing and rearing are not objects of elevated esteem. In the event, vulgar democratism is usually advocated alongside a moral argument with which it cannot be easily harmonized—i.e., the experience of the accredited group has something of *value* to which all communities should pay heed. The tensions in this mixed argument are rarely exposed and almost never faced.

On occasion one hears a solution to the problem of cultural diversity that is more directly and crudely biological. There is, for example, the theory of the chairman of a black studies department in New York who has been reported to hold that the Ice Age deformed the genes of white people, whereas those of blacks were enriched by exposure to the warming rays of the sun. This is, it must be noted, an extreme case, which is why it has received considerable attention in the news media. The implications of this black professor's linkage of culture to genetics are as anti-democratic as those of Rosenberg's Aryan supremacy; couched in terms of multiculturalism, however, such anti-democratic thinking can find a sympathetic hearing in academic life today. One reason for this is that *biological essentialism* does seem to play a large role in the thinking of many advocates of multiculturalism. Given the way that race, class, and sexual instinct have come to dominate the discussion, it is hard to see how matters could be otherwise. The addition of social class to the mix should, at least in theory, dampen the biological essentialism a bit. But most discussions in which race, gender, class, and sexual instinct are high on the agenda suffer from an amalgam of biological *and* social determinism that makes an affirmation of transcendence well-nigh impossible. Indeed, transcendence has become a prime target of the two great guns of academic nihilism in our time, deconstruction and the hermeneutics of suspicion. Thus fades the "opposition" to "bondedness to place, immediacy, and paganism" that Hegel

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and Tillich associated with the faith of Abraham and the opportunity for transcendence. More ominously, as we shall soon see, "the co-existence of polytheism in space" that Tillich said "will not return" in fact threatens to return.

Advocacy of multiculturalism is inevitably associated with opposition to "Eurocentrism," that is, a concentration on the European heritage to the disadvantage of other cultures, especially those with roots in Africa and the pre-Columbian Americas. As a critique of provincialism, an argument against Eurocentrism could be built on themes that are themselves prominent in both the Hebraic and the Hellenic roots of European civilization and thus part and parcel of that heritage. Usually, however, the attack on Eurocentrism takes a very different form, one of opposition to the traditional curriculum and the culture to which it gives expression on the grounds that this curriculum is irrelevant or inapplicable to some particular community. Thus the oft-heard rejection of DEWM—"dead European white males," whose work and ideas are assumed to be of no benefit to the non-European, the non-white, the female, and—logic dictates—the living as well. Now national origin joins race and gender as *predetermining* the cultural identity of an individual or group (and not simply *influencing* it, as almost everyone would concede). In this way, the "bondedness to place" that Hegel and Tillich thought the faith of Abraham had dislodged reestablishes itself with a vengeance. That a person without European ancestors might become culturally European is either denied altogether or lamented as an election of inauthenticity. This being the case, it is unclear why persons of European descent ought, in turn, to occupy themselves with something as distant as the cultures of Africa or the Andes. The critique of provincialism thus yields to the powerful forces of the new determinisms, and narrowness acquires a theoretical foundation of high prestige.

One of the oddities of the critique of Eurocentrism is the ubiquitous assumption that Europe somehow constitutes a cultural unit, an assumption to which not a few conservative champions of the older curriculum have been known to subscribe as well. The less-sophisticated opponents of Eurocentrism often equate Europe and even the Caucasian race with imperialism, as if Africa had been carved up in the nineteenth century among the Lithuanians, the Jews, the Basques, and the Irish. When race, a biological category, overtakes culture, a historical category, it is again hard to see how the matter could be otherwise. The irony here is that in the very name of multiculturalism, the cultural heritage of numerous students is once more neglected. A telling instance of this is those schools in which the study of Jewish civilization does not count for the ethnic studies program or the "diversity" requirement. You would think that whites have generally been preoccupied with Talmudic Law, medieval Torah commentaries, and the Yiddish short story.

That Europe is a cultural unity is one illusion from which Alfred Rosenberg did not suffer. For him, as we have seen, the great divide lay between people of Nordic extraction and those of "Jewish-Roman-African ancestry," with the former representing purity, honor, and heroism, and the latter incarnating the corresponding negatives. In our present cultural situation, a reexamination of Rosenberg's theories drives home a keen awareness of how particular and localized is the origin of what often is glibly called "European culture" by both defenders and despisers. The foundation of that culture does not lie in the Germanic north or the Slavic east of Europe. Instead, it lies in what Thomas Mann in that radio address of 1940 termed the "old Mediterranean world," of which the "Jews of Middle Europe had the misfortune [of being] living exponents." It is from their Mediterranean homelands that the modes of thought and practice of Jerusalem and Athens have spread in every direction, and it is this diffusion that, for all their differences, the Nazis and the opponents of Eurocentrism both attack. To describe the offending culture as European or white is thus to neglect key features of the very diffusion that is now so regretted. From Jerusalem, it is roughly the same distance to London as to Nairobi: the God of Abraham is no more native to the Angles and the Saxons than to the Kikkuyu and the Kamba. Whether any of these groups ought to have put away their traditional gods to accept Him is a matter of legitimate debate, as is the perennial question of whether either Jerusalem or Athens ought to have attained cultural hegemony over the other. Without resort, however, to a biological essentialism reminiscent of Nazism and, to put it mildly, of very dubious worth, appeal to ethnicity alone cannot resolve these knotty issues.

Thus, for all the differences between Humanism and Hebraism, on this point defenders of traditional liberal education and believers in the God of Abraham can come to agreement: culture, whether personal or communal, is not reducible to genetics or ethnicity because man is always capable of transcending his origins, that is, of ending his journey in a different and better place than he began it. Indeed, to end our journey in a better place than that of our origin is, in different ways, the objective of both Abrahamic religious life and traditional liberal arts education. In the religious framework, Abraham's experience is paradigmatic: even if they were begun amidst the pollution of Ur, our lives can end in the purity of Hebron.

The Abrahamic paradigm presents a formidable obstacle to those Christians eager to align the Church with Third World liberation movements. For, to the extent that such movements seek to undo the legacy of European imperialism, they must also, if they are to be consistent, seek their own de-Christianization

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and the restoration of the indigenous religions that the Church eradicated, suppressed, or diluted through syncretism. That Christianity can be enlisted in the movement to rectify social, economic, and political injustice in and against the Third World is beyond dispute, for this is still to appeal to norms esteemed in the "old Mediterranean culture" that Jesus of Nazareth exemplified. Things become more complicated, however, when that culture and its European successors are defined, even at their best, as inevitably part of the problem. This places in danger the essential Pauline principle that through faith in the Christ a gentile is grafted onto the tree of Israel and attains the status of a descendant of Abraham (Romans 4 and 11). It implies that what Paul called the "native wild olive" has no need of the "cultivated olive" onto which it has been grafted graciously, mysteriously, and conditionally (Romans 11:19-24). And this un-Christian implication is one that Alfred Rosenberg—who, it will be recalled, hated Paul for his Jewish leanings—would have seconded with enthusiasm. Rejection of the God of Abraham makes strange bedfellows.

III

Anyone under the impression that the hyper-romantic program of recovering the gods of soil and nature died with the Third Reich has not spent much time in liberal religion departments and divinity schools lately. In many of these, radical feminists of a particular kind have mounted an extraordinarily successful assault on traditional Christianity and Judaism in the name of the goddesses these traditions have suppressed or eradicated. Sometimes the agenda involves reclaiming the pagan deity whom, it is argued, the normative traditions have masked.

In *Changing of the Gods: Feminism and the End of Traditional Religion*, Naomi R. Goldenberg writes that "behind [the Virgin Mary's] sanitized figure lurk all the great pagan goddesses of the ancient world. . . . Mary has become castrated by popes, cardinals, priests, and theologians, by all who fear the sexual and emotional power of natural womanhood." Goldenberg's Mary is analogous to Rosenberg's St. Oswald, St. George, and St. Martin, the putative Christian masks of the Nordic gods, except that for Goldenberg the original Mary "of natural womanhood" did not survive her Christianization. Instead of a renewed Christianity or Judaism, Goldenberg thus turns to such phenomena as witchcraft, where, she tells us, "a woman's will is sacred." "Once she has learned to visualize her wishes, a witch uses her will to bring them to reality." The Nietzschean implications suggested here are immediately disavowed: "The only rule that restricts the play of the will is an injunction not to use it for destructive purposes."

But this qualification is in tension with an element in witchcraft that Goldenberg tells us conventional minds find repellent. Witchcraft provides:

> *No rigid law of discipline.* The absence of a need to keep base human instincts in control is unthinkable to most Jews and Christians. . . . Both conscious and unconscious elements of the person are considered self-regulating and self-governing. . . . No higher moral law is called upon to keep any lower nature in check.

One wonders why the rule that prevents the witch's will from being used "for destructive purposes" is not a "higher moral law" necessary to keep our "lower nature in check." One can go further: why are those "destructive purposes" wrong in an ethic that celebrates naturalness and instinct? Surely, natural history presents abundant evidence for destruction, including the destruction of whole species, and the instinct to kill is hardly unique to males or even human beings. The lower nature, liberated from higher moral law that keeps it in check, is at least as likely to give us Rosenberg's Nazis and the Holocaust as it is to produce Goldenberg's benign witches and female empowerment.

In *Laughter of Aphrodite: Reflections on a Journey to the Goddess*, Carol P. Christ speaks of two intuitions that nourish what she calls her thealogy (from the Greek *thea*, "goddess"):

> The first is that the earth is holy and our true home. The second is that women's experience, like all human experience, is a source of insight about the divine.

The second intuition is hardly new or repugnant to Jewish and Christian traditionalists. It underlies the prophet Hosea's understanding of Israel's relationship to God as a marriage, for example, and the traditional Jewish and Christian interpretations of the Song of Songs as an allegory of God's love for Israel and Christ's for his Church, respectively. But these images drawn from traditional notions of courtship and marriage are not what Carol Christ has in mind when she speaks of "women's experience." Indeed, in words reminiscent of the theology that Hosea lambasted, she speaks warmly of her liberation from "male Gods who are defined in opposition to the powers of earth, nature, myself" and reports that "I began to feel that my loyalties were with those castigated by my tradition as idolators."

The substantive values of writers like Goldenberg and Christ are obviously very different from those of the Nazi theorist Alfred Rosenberg—indeed, often diametrically opposed to them. Whereas he saw the Christian ethic as one of nonviolence and self-giving love and therefore Jewish and effeminate, Carol Christ identifies the biblical God as a "God of War [who] stands for too much that I stand against." It must also be noted that whereas Rosenberg was a vehement

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anti-Semite, Christ rejects the Western theological traditions in part because of the Holocaust and contributes a chapter "On Not Blaming Jews for the Death of the Goddess." But in her case, as in Goldenberg's, it must still be asked whether all who liberate themselves from the God "defined in opposition to the power of earth, nature, and myself" will feel drawn to her ethic and her theology. Will not some be reasonably drawn to the blood and soil mysticism of Alfred Rosenberg and correctly recognize in the Jews the living exponents of the order they reject? And will not some replace the God of Abraham with goddesses inimical to Carol Christ's theology—with Athena, the Greek goddess of war, for example, or with her Canaanite counterpart, the bloodthirsty Anat?

If goddess worship of the sort presented in Goldenberg's and Christ's books seems exotic, consider this: according to a reliable press report, the "goddess movement" is being advanced in part by a course entitled "Cakes for the Queen of Heaven" (see Jeremiah 44). Produced under Unitarian auspices, the course has now been used not only by at least 800 of the 1,000 congregations of the Unitarian Universalist Association, but also by Congregationalist, Methodist, and Episcopal groups and even by an order of nuns. The inclusion by mainline ecclesiastical bodies of forms of religion that their own scriptures and traditions have pronounced abominable and idolatrous is one of the most remarkable transformations of our times. It is not altogether without precedent.

IV

The midrash relates that a philosopher once posed a question about circumcision to Rabbi Hoshayah, one of the great authorities in the Land of Israel early in the third century. "If circumcision is precious," asked the philosopher, "why was it not given to Adam?" Rabbi Hoshayah answered:

> Everything created during the six days of creation requires that something be done to it. Mustard, for example, requires sweetening, lupin requires sweetening, wheat requires grinding—even man requires perfecting.

The assumption underlying the rabbi's response is that Abraham, to whom the commandment of circumcision is first given (Genesis 17), is to be a perfecting of Adam, and life in covenant with God, therefore, an improvement upon life in the state of nature. The philosopher's implicit critique of Abraham is formidable. For the commandment of circumcision comes bound up with the promise of progeny and the Land, two of the most natural of things, and yet circumcision is an invasion of nature and not, as one might expect in this context, an affirmation of it.

The point of Rabbi Hoshayah's reply is that the covenantal life of the Jewish people is neither a denial of nature, on the one hand, nor an unqualified expression of it, on the other. Neither "opposition" (to use Paul Tillich's term) nor "the powers of earth, nature, myself" (to use Carol Christ's) captures the spirituality of covenant in the Abrahamic mode. Rather, to borrow a phrase from the late Arthur A. Cohen, each member of the people Israel is called to be both a natural and a supernatural Jew. The natural and supernatural Jew seeks neither to love nature nor to conquer it, but only to bring nature—including the natural vitalities of nationalism and sexuality—to the service of its Creator and thus to elevate, ennoble, and sanctify it. To keep nature and that which is beyond nature in their proper relationship is not a task for Jews alone, but for all who call Abraham their father. As in the dark days when Thomas Mann and Paul Tillich issued their warnings, so now, this is a task of mounting urgency. FT

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Why the News Makes Us Dumb

John Sommerville

I

Strange as it may seem in a country positively flooded with the commodity, we don't always understand what News is. News is what has happened since yesterday's paper or broadcast. It is that *daily* budget of information that a person needs in order to be "informed," to feel tuned in to the world. It is also a product, and the truth of the News product is not a characteristic essential to it. Certainly truth is secondary to sales performance. And the fact that information is marketed in this way, that is, as News, affects the way we think about everything—politics, government, science, religion, values, culture.

What happens when you sell information on a daily basis? You have to make each day's report seem important, and you do this primarily by reducing the importance of its context. What you are selling is change, and if readers were aware of the bigger story, that would tend to diminish today's contribution. The industry has to convince its consumers of the significance of today's News, and it has to make them want to come back *tomorrow* for more News—more change. The implication will then be that today's report can now be forgotten. So News involves a radical devaluation of the past, and short-circuits any kind of debate.

Newspeople have been worrying recently about the fact that we Americans seem not to be as interested in the News as we used to be. Or as they think we ought to be. What could this mean? Is the American public showing some suspicion not just of the *kind* of News it is getting, but of the very concept?

There are many ways of criticizing the News: attacking the conservative bias of publishers or the liberal bias of editors, showing their techniques of manipulation or the dangers of oversimplification, grumbling at the sheer incompetence of reporters, complaining of the way the News is concentrated in a few networks and syndication systems. But these attacks all take the concept of News for granted, accepting its importance and calling for this or that show of responsibility and fairness. The real problem remains: the very idea of News.

The News can't be fixed. There is something about *daily publication*, all by itself, that distorts reality. That is why the addiction to News that so many of us share has brought on a kind of stupidity. Our whole society shares this stupidity, and so we have a hard time recognizing it. But several recent developments have caused even Newspeople to sense that something is wrong with their enterprise.

Take, for example, the editors' own complaints about our first national newspaper, *USA Today*. When it appeared in 1982 with its big headlines and little stories, its charts and color bars and sentence fragments, it was criticized as a vulgarization of the News, a trivialization of true journalism. But no one was exactly *surprised* when it arrived. Everyone seemed to realize that it simply accelerated existing trends. That is what made it so scary.

What was it that *USA Today* showed about the News? It gave us "reality" in simple, semi-literate terms, with a concentration on ourselves. By jumping from subject to subject, it showed very clearly that News is a concentration on the ephemeral—the flotsam and foam on the surface of history. It reminded us that it is not the job of the News to tell what all this means in the Bigger Picture. It's *nobody's* job to do that any more. That is why our concentration on the News is dumbing us down.

If News were just one of many things that we read each day, it wouldn't have the same impact. If we read philosophy, history, science, theology—regularly—we would be able to make much better sense of the day's events. But we don't. We're too busy to manage

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anything *but* the News, and we're getting almost too busy even for that. So the papers and the TV stations are learning to package it for us in ever more "attractive," i.e., ephemeral, forms.

Of course, not everything in a newspaper is News. But the other stuff would not justify a *daily* edition. Even the investigative reporting—held up to us as the primary justification for a News industry—need not be spooned out to us in tiny, daily doses—except, that is, in terms of profits. The way we are induced to buy the product *every day* is by the offer of the excitement and change that is the News. Once the stock of News corporations is sold publicly, Wall Street will insist on the same profit level as from any detergent company or fashion house. There is therefore no chance of the *Washington Post* just skipping a really slow News day.

The other paper that sober people worry over is the *National Enquirer.* We treat it as if it were a caricature of Real News. Actually, the *Enquirer* shows the ripening of the News, and where the whole business is headed. Remember: News is what sells newspapers. In the old days, editors took a more high-handed approach and gave the public what they thought grown-up, serious-minded people would want to know about. But Newspeople have gotten smarter, and we've gotten dumber. They know that deep down, we don't care if our daily News is entirely authentic so long as it is entertaining—like pro wrestling. So we can expect to see even the most respectable newspapers gradually becoming more and more like the *National Enquirer.* Anyone who doubts that statement might take a look at a newspaper of fifty years ago to see how far we've come already.

There has been a change in us as well. We have become so jaded that we require an ever-increasing level of excitement and allow an ever-narrower focus in the News we buy. The show had better be good, or our minds may wander. Like any good entrepreneur, the industry does its best to give us what we want, and what we want is a limited number of stories that we can follow for a few days and that engage us in some way. What we get is a teeny bit of our times, vastly enlarged to fill our vision. The idea that this is the world's reality is, of course, childish.

The News has the magical quality that if you have a compartment in your brain that is set aside for it, it will always be full, whether the world is really whirling or not. Just one story can spread over the whole Front Page, seeming all-important—that day. Of course, tomorrow's story will be all-important tomorrow. Which means that yesterday's story is nowhere.

Even Newspeople themselves have some sense of what they have done to us. *The New Yorker* complained, on 15 April 1985, that by that time "young people" knew almost nothing about the Vietnam War, which had *filled* the News for ten years. It reported an army recruit who did not know that the U.S. had lost that war. By contrast, as the editors observed, the Poles, who have not trusted their press for many years, can remember their whole history, despite government efforts to suppress it.

Not even our universities fight the pin-hole vision that is part of the News concept. I used to be incredulous when I saw universities scheduling TV Newsreaders as campus speakers. I am wiser now, realizing that Newspeople really do make the News. They create it. They create a reality that we depend on, a miniature world which we look in on every day to assure ourselves that everything is under control, or at least that we know the worst. These people, or their handlers, choose a few developments that they think we might still be interested in, choose the words and the slant and the tone that will grab us, and poll us to see if they're succeeding. News may have little to do with a search for truth, but it is very revealing of our popular culture. And that is the new substitute for philosophy, even in colleges.

II

The reason that old newspapers and magazines often strike us as childish is that they are full of ideology instead of thought. That is, they just tell us what it was once fashionable to think. Old News reflects thinking that is no longer in vogue. Of course, all of us *imagine* that we are thinking for ourselves. It is just when we are suddenly reminded of what we *used* to think that we realize that we change our ideas like we change our hats. We weren't argued out of those old ideas. We just haven't heard them in a while.

So reading a stack of old papers is nothing like rereading a classic novel, for example. We might find the novel *more* impressive the second time around. We are impressed again with the author's insight, not dismayed by an editor's shallowness. What passed for ideas in the newspapers once seemed daring and advanced (if sort of self-evident). Now they seem juvenile.

Once again, daily publication is to blame. There can be no real thinking in News reports because explaining takes time (i.e., space). So News is made up of statements rather than arguments, which has a serious effect on our minds. When News constitutes almost all of our reading, we fall into the habit of thinking that opinions are the same as thoughts. The News alludes to a debate but only shows us a clash of opinions. As a result, we forget how to carry on a debate, and fall back on polls.

Daily News has space only for opinions or positions, not evidence or arguments. And so we have acquired the habit of thinking that all positions spring out of nowhere—the expression of vested interests, probably. This has contributed mightily to our wariness of the term "truth." Nothing is more common nowadays than to have someone interrupt a serious discussion

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with the objection, "Who is to say what the truth is anyway?" Or, "If that's your opinion, that's fine for you."

In his heart of hearts, to be sure, no one believes that the concept of truth is unreal in that sense. You can't contradict someone else's statement unless you think your own position is solid. But this flippant relativism has become a habit with us. It is a habit we've picked up from the "evenhandedness" of the News, where no one is allowed to get away with very positive statements.

Whereas a true relativism is self-canceling, the News version of relativism is very dogmatic. Skepticism, you could say, is the creed of the News. We might think that the evenhandedness of the News would mean a respect for everyone's opinion. Actually, it encourages *rejecting* whatever is stated with too much emphasis or self-assurance. Maybe this is our idea of being modest or democratic.

The idea that all "viewpoints" are somehow equal is the reason that we do so badly in arguing our great social issues. We are so used to the News' juggling approach to ideas that we have lost the patience and the humility to submit our opinions to true argumentation. Is abortion murder? How would one decide? Should we try to deduce an answer from philosophical principles or from our feelings or from polls? We wouldn't know how to begin to answer. What is compelling about philosophical principles, for instance?

Sometimes, Newspeople will appeal to experts, as in "some experts believe . . ." That is a step in the right direction, because there are people who have devoted real attention to most of our issues. But there won't be space in the story to tell us *why* they believe what they do, which is vital. And what about the *other* experts who may *not* believe . . . ? (Come to think of it, would Newspeople actually know an expert when they saw one? Even experts can't always agree on who the other experts are.)

When Allan Bloom wrote *The Closing of the American Mind*, he made his story a lot more complicated than it had to be. The sad state of our nation's intellectual life probably has less to do with wayward philosophical movements than with a simple fixation on the News. Of course, Bloom was right to worry about a society that is so intellectually feeble. There has been a decay of our ability to relate our ideas to each other in a logical manner, or to relate our institutions to each other in a supportive way, or to relate different rights to each other so as to create justice.

Take, for example, the issue of "values." Actually, we have plenty of values. Our problem is that we don't have any agreed *scale* of values. You need to rank your values to be able to argue logically about which ones might override others. Some have to be more basic than others, or they will all be a jumble and no guide to action.

What happens nowadays is that the News makes every value absolute—for the time being. By "absolute," we mean that all other values become relative to that one, and subordinate. The News alerts us to a problem that some group in the population is having. But there is no space in the story to assess that group's rights or needs against other demands on the treasury or law enforcement resources, or against the rights of groups that might be thrown into competition. Rather, the News absolutizes a particular group or value—for the moment—and silences anyone who might demur.

Now that we are a secular culture, we can absolutize any value we want—a new one every week. It is the sort of thing that comes naturally to News reporting.

Odd, isn't it, that a medium that has such a relativizing effect on our mental activity finds itself absolutizing values this way. But it's only temporary. There will be another paper tomorrow, with something else to wring our hearts. The News never needs to argue us out of a former concern or into another. Daily publication has conditioned us to forget last week's concern. Concentrating on the News has trained us to live in an Absolute Present.

III

News and religion, then, are likely to be antagonists. For as we have seen, News only recognizes change, whereas religion tries to concentrate on eternal questions. This opposition, by the way, is one that non-Western religions insist upon even more than the Judeo-Christian tradition does. The idea that for every 24-hour period there is an hour's worth of reports requiring our attention would be considered a sign of being spiritually lost in any of the world's religions.

Of course, any historian will tell you that as far as real trends are concerned an hour would be sufficient to report any four *years* of human history. And any saint would understand that even abbreviated to that extent, this would be a distraction from an understanding of our being. The things that nourish that sense of Being are music, philosophy, science, art, literature, and the like. Not *reports* about these things, much less reports of wars, business, politics, and other mischief. Anthropologically speaking, all those arts began in religion, as part of the celebration of life and the powers behind our lives. Sociologically speaking, all of them are now in danger as News threatens to crowd out anything deeply reflective.

This antagonism is quite unconscious. Newspeople do not recognize any conflict with religion as such. But they must be aware that the "religious leaders" who get into the News are usually pretty disreputable types. When religion becomes the subject of the News, it has not been behaving itself. News coverage of religion quite naturally tends toward stories about celebrity-evangelists who are caught in some scandal.

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Or reports will point up the religious dimensions of current conflicts and even wars. This is perfectly understandable, and even proper, given the nature of News.

Religion News, however, doesn't go to the heart of religion. There could be reports of how much of all charitable giving came through religious as opposed to other foundations. There could be reports of how many people attended religious services last week. But even that would tell us nothing of how many broken spirits were healed or families blessed. These things aren't News, by any definition. That doesn't make them unreal. To be fair, Newspeople never claimed that the News represented everything important. Unfortunately, that assumption has been made by the rest of us, so that the ultimate concerns of life have been steadily declining in intellectual status.

The last *theological* issue that got headlines was the controversy over the slogan "God is Dead." Those theologians who were trying to wake up their churches by talking this way deliberately chose the slogan in order to make the News. It fit into a lot of headlines. But the theologians learned their lesson. They did not get their point across. How could they, given the constraints of periodical publishing? It was all a success from the Media's standpoint, of course. That is, it sold magazines.

Not only will you never learn anything about religion by reading the News, you will not even learn anything worth knowing about religious institutions. Remember how it goes? Reporters are sent to cover some denomination's annual assembly, while the participants hope to have as quiet a meeting as possible and make no News in the process. Reporters are not easily put off, however. They look over the agenda and find that one of the five study groups—the one on the Church in the World—has a task force on social concerns (one of three task forces) which has a committee on community relations (one of four committees) with a subcommittee on homosexuality in the Church. Another study group (on Ministry) has a task force on mission whose committee on worship includes a subcommittee on gender-specific terminology in the liturgy.

Guess what the News from this assembly will concentrate on. Why are the churches so preoccupied with sex, we wonder?

Religion is a large part of life for a large part of the population, but News just cannot cover the essence of the thing, no matter what a reporter's sympathies might be. It's the same with anything real—like work, recreation, family. To be sure, there are sections in the paper on all these things. They can't make News out of them, but if you find yourself drawn to those features more than to the Hard News, it probably says something good about you.

Every so often some pundit will suggest that he or she suspects that religion is about to have a quiet resurgence. Sometimes this seems like wishful thinking, out of a revulsion against the binge of irresponsibility and indulgence that we call "individualism." But any well-wisher to religion will fervently hope that if there is any such revival, it will never get the News treatment.

Should it happen, can you imagine how the reports will go? Newspeople will locate the "spokesmen" for this movement of the spirit, or perhaps *create* them. Those persons will play to the cameras and become less spontaneous, less real. They will learn the usual ways of getting Media attention, and try to squeeze their message into a slogan that will be bounced around until the News senses that it is losing the public's interest.

Malcolm Muggeridge was a longtime journalist who came to repent this misspent life when he became a Catholic convert. He once ruefully admitted that "I've often thought . . . that if I'd been a journalist in the Holy Land at the time of our Lord's ministry, I should have spent my time looking into what was happening in Herod's court. I'd be wanting to sign up Salome for her exclusive memoirs, and finding out what Pilate was up to, and . . . I would have missed completely the most important event there ever was."

Something has to be sacred, of course, and the News is now handling that side of things for us, too, with its own list of taboos. Belief in the First Amendment is not to be questioned. In fact, the faithful show their devotion by a hundred Talmudic expansions on that simple commandment. Censorship is blasphemy. Charity means entertaining our customers. Because boredom is Hell.

IV

Americans used to go to church to hear about their faults and they didn't think they liked it. Many started staying home and reading the Sunday paper instead. But the paper started criticizing them, too. Of course, the News is not authorized to offer mercy, but it compensates by inviting its readers to join in blaming others.

We seem to like being nagged, and the News has discovered this. Newspeople have found that concentrating on our faults sells a lot of papers. I suppose that many of the people who have consciously kicked the News habit have done so because they are offended ("sick and tired," they would say) by being blamed for "everything." But the rest, the real News junkies, must like this play of guilt and self-righteousness, because it is a constant feature of the News as we know it.

The basis of morality is the ability to see things from another's point of view (the Golden Rule, remember). At best, this involves seeing all sides so that one can be fair. Learning to take everyone's interests into account is the beginning and the end of moral education. In fact, newspapers could be very

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educational in this sense. But what they tend to do instead is simply identify a few underdog groups and follow their fortunes. It makes a more straightforward, and shorter, story.

Once the News identifies the disadvantaged groups, it doesn't really have to discuss their situation. It can just keep score. If you have to capsulize the day's events, you cannot debate situations fully. Discussing moral dilemmas is complicated and often discouraging. So News just reports on who has insulted, slighted, or supported one of the target groups in its morality play.

Usually we are happy to side with underdogs. At certain times, we *all* feel that we are part of some minority. Now and then we realize that in certain respects we are part of an overbearing majority, and we are prepared to accept some scolding. The News takes advantage of this by encouraging the habit of siding against ourselves. Morality often involves denying one's own wishes, and always involves seeing things from someone else's viewpoint. But when taking a scolding becomes too automatic, it begins to seem like a masochistic wish that other people wipe their feet on us.

Before I canceled my *Time* subscription, there was an issue (May 7, 1990) that had a cover story on how foul-mouthed and abusive our new crop of "entertainers" is. The article was typically ambiguous, not wanting to offend readers who might like this brand of entertainment, but not wanting to offend the others, either. In the final summing-up, however, the writer decided that there wasn't anything really wrong with this stuff: "It has always been the role of art to shock." (Art?) In case we hadn't gotten the point, on June 25, the magazine headlined a follow-up article "Anti-obscenity campaigners are getting as nasty as they wanna be." So we know who the baddies are.

The odd thing about the original article was that it was *immediately* followed by another big article on "Bigots in the Ivory Tower." In it we learned that some college students were insulting others or doing things that were considered disparaging to certain groups. The report was full of outrage.

I was puzzled. What was the difference exactly? News justifies an entertainment culture that is filled with offensive gestures and cultural insults, and then is surprised when people become offensive and abusive. Shouldn't they have expected it? Why couldn't the editors see the connection? And why should they have had such opposite reactions?

Actually, the Newspeople were being perfectly consistent. In both cases, the News put the majority in the wrong. The "comics" were encouraged because they were abusing—what?—white, middle-class, middle Americans. The students were reviled because they were expressing—what?—white, middle-class, middle American frustration and bigotry. The reporters were probably white and middle class, too. If anyone is going to be criticized, let it be me.

This dopey morality is what one has come to expect from the News. To grab the reader, it's got to take sides. The easiest thing, obviously, is to side against ourselves. That may in many cases be the moral way. If it becomes the invariable rule, readers will rarely notice.

We've all become part of a conspiracy. Newspeople know that to begin to pass criticism around evenly might ease the guilt of the sucker majority who are their customers. Conscience is the only lever that the News has to get public support for its many campaigns. Doubtless you have heard the phrase, The Power of the Media. The Media's power over us is the guilt that I have been describing. For the last several generations it has been the News, and not the churches, that has cultivated this guilt. It keeps worrying us about *something*, working on our guilt a little each day, rubbing us sore. That is how one becomes sensitive.

The idea that the News likes to nag us might seem to contradict what was said earlier about its jumpy attention span. But the *focus* of moral concern can change every week. It's the *tone* of moral instruction that prods us along and proves the Power of the Press. Still, Newspeople can be persistent in their nagging. How many stories have you seen that begin, "Pressure is building on A to do B"? That translates into "We intend to keep running stories on this until we hound A into doing B." Another favorite is, "This story will just not go away," as in "Accusations of X against Senator Y, though regularly denied, will just not go away." Meaning, "We hope that you share our obsession with this and will want more reports on the subject." Actually, you *can* make the story go away: just turn off the tube.

Nagging is to help create change, and the purpose of change is so that the News will have more to report. If Newspeople want a change of government, for instance, they will keep calling it a "regime." That sounds less legitimate, more temporary. If they object to a particular official, they will not call him by his title, which would suggest permanency, but may call him a "strongman," as in "Panamanian strongman Manuel Noriega." They can be a little arbitrary here. Arrangements they approve might be referred to as "the law," but those they want changed are "present regulations." They may point out that the Supreme Court has frequently reversed itself when reporting a ruling of which they disapprove, but will express satisfaction at other decisions that are presented as "definitive." Attitudes that the press hopes to change are said to "persist," meaning that they should have disappeared from our enlightened world long ago. Practices that are said to "still survive" are obviously taxing some editor's patience.

All of this—the simplistic morality and the nagging tone—comes to a focus in the political cartoon. The *New York Times* doesn't usually print political

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cartoons. They have some sense that caricature reduces the dignity and even the truthfulness of the News. But when you think about it, the News is caricature by its very nature. We should recognize degrees in these matters—there is more responsible and less responsible journalism. But at best the News simplifies our view of every kind of reality to the point of distortion, and cartoons only show this at its most squalid.

The cartoon completes the News. Its purpose is not to inform, but to emotionalize the issues. Those who don't know how they should feel about recent events can find out by looking at the political cartoon. It boosts us above our leaders by reducing their scale, lest we become too respectful of authority. The tragedy is that we triumph too effortlessly. Once people have checked out the political cartoon each day, they see no need for any further action.

So cartoons take the place of political action in the same way that the old holidays of "inversion" did for peasants. Several times a year the lower orders were allowed to pretend that they were kings or bishops or great ladies, and might actually lord it over their masters or ridicule them. This let the steam out of social protest. Similarly, no sooner have we elected new leaders than we have caricatures that put them in their place. Every day we are treated to this inversion, watching our masters stand in the pillory among the editorials.

There is another form of caricature when the News treats ethical issues as political issues. Take the abortion "debate," which has been the most deeply troubling recently. News treatment reduces such ethical debates to two sides—to sharpen the sense of conflict. Journalists may allude to the fact that there is a moral dimension to the issue, but they will not have space to air the arguments. After all, there might be a dozen positions to consider. Instead, the News shifts to the politics of the issue. How many people are on each side? Not, what do they think, but what is their voting strength and what are their tactics?

You see, the News just wants to keep the story going. There won't be any new *arguments*, after missing that first opportunity to spell them out. So the News turns instead to how the politics of the issue unfolds. We will learn about the escalation of demands, as the larger issue gets lost in a flood of lesser ones—whether abortion must be done with the husband's consent, or at the taxpayers' expense, or with parental consent, or with parental notification, or with counseling, etc. At each of these steps, there are again just two sides. That is how votes are taken.

True moral dilemmas are uncomfortable, involving the conflicting rights of several persons—no-win situations. We would prefer not to read about that, and are relieved to be able to side wholeheartedly with one party. The News helps by caricaturing the issue.

You watch. All our debates over constitutional amendments will flounder in this way. Those are the debates that cannot be decided on the basis of present law, but rather deal with what the law *should* be. They ought to be argued out on what we take to be moral grounds. But they aren't, because they are debated in the News. Knowing how poorly we handle moral debates, the News rushes on to the political level. Who has the votes? Or by what trickery can the minority get its way?

We have already mentioned why our secular culture can't argue about values any more, but is reduced to simply counting votes. To compensate, the News parades its concern for the ethical-issue-of-the-season. It follows the politicians who have seized the high ground, and reports the moral views of our celebrities so that we will know what some soap-opera star thinks of the future of marriage, for example.

Every New Year's we get a special lesson in what News really is, when *Time* magazine names its Man of the Year. For the next month, it keeps busy trying to justify its choice, especially when its choice turns out to be some world-troubler. But actually, *Time* is perfectly right to pick some obnoxious tyrant. Such figures are after all the ones who are creating change, which equals News.

The general public cannot seem to remember that that is what News is. Readers will complain that surely a Man of the Year should be an admirable character, a positive force. They don't really understand when the magazine explains that it never said that this was its favorite person, only the most Newsworthy; and some exasperated reader can be counted on to write in, "Well, what can we expect from a magazine that made Hitler its Man of the Year in 1938."

For all our conditioning, we can't quite absorb the idea that News is what upsets us, or upsets the world. Acts of moral decency are not News, because they are expected, and common. We need to keep in mind that packaged News has always been a distraction from real life. Perhaps, then, it is time for people to stop apologizing for ignoring the News. It would be nice if the declining interest in the ephemeral were being compensated by a growing concern for something more solid. I am not hopeful on this score; the damage our spirits have sustained through News addiction makes it unlikely. But the first step back to health is still to Just Say No. Only then can we begin to consider what our lives are all about and how our neighbor is faring. We build from that. Distracting ourselves with the News' purported trends is not improving our politics, our citizenship, or our spiritual insight.

Still dubious about all this? Consider the proposition: If it is no longer worth your while to go back and read the News of, oh, September 22, 1976, then it was *never* worthwhile doing so. And why should today be any different? FT

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The Constitution and the Erotic Self

Gerard V. Bradley

The history books tell us that Gavrilo Princip, the Serbian nationalist who shot and killed Austrian Archduke Francis Ferdinand in 1914 at Sarajevo, started World War I by providing the occasion, or excuse, for the release of long-smoldering political tensions and ambitions. Thus can small trickles unleash floods.

In our own time what will turn out to have been a constitutional Armageddon, a case called *Bowers v. Hardwick*, began even more inconspicuously. The circumstances were these: In mid-1982 a twenty-nine-year-old Atlantan named Michael Hardwick was ticketed for carrying an open bottle of booze in public. He did not answer the summons, and a bench warrant was issued, following which, per routine, the ticketing police officer went to Hardwick's home. After being let in by someone who seemed to live there, the officer observed through a partly opened bedroom door Hardwick and a third man engaged in fellatio. A Georgia law, unenforced for decades, included such behavior in the crime of sodomy.

The County prosecutor dropped the case. But a singular opportunity to reorder society was at hand. Hardwick's predicament was ideally suited to serve as a referendum on what for his generation was a pivotal legal question, namely, must the state remain "neutral" on questions of the morally good life, and stay its hand until "harm" to innocent bystanders is threatened? Put this another way: since the "neutrality" and "harm" principles are the distinguishing features of philosophical liberalism, the issue is, are our institutions to be determined by liberal political morality?

With expert legal assistance, including the services of the ACLU and Harvard's Laurence Tribe, Hardwick pursued this bellwether question all the way to the United States Supreme Court. The doctrinal issue on which the case was carried was the right of "privacy."

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This is the thread that stretches from the 1965 contraceptives case (*Griswold v. Connecticut*) to the Nancy Cruzan decision last year. The most notable station in this progression is, of course, *Roe v. Wade*.

The decision in *Bowers v. Hardwick*, handed down in 1986, was, as advertised, a landmark. A bare 5-4 majority rejected Hardwick's claim that "mere immorality" provided no rational basis for lawmaking, that morals laws as such were unconstitutional.

Anyone cheered by the decision, however, has reason to think again. For the majority opinion carried by a margin of only one vote, and one of the five—Lewis Powell—recently recanted his decision before a Harvard Law School audience. Powell, to be sure, is retired, but no one, possibly including David Souter himself, yet knows what he will do with the issue. At least at his hearings before the Senate Judiciary Committee, Souter agreed that judges ought to enforce, over against the deliberate judgment of elected representatives, a right of privacy not found in the Constitution's text. This concedes the major premise of Hardwick's constitutional argument. And the *Cruzan* decision brought together a majority that still embraced that same privacy jurisprudence. Moreover, while the *Hardwick* majority reached the right conclusion, they provided no counterargument to the powerful and coherent, though profoundly mistaken, dissent. They were simply "unpersuaded."

Why is the dissent mistaken? Because, first, Hardwick's claims, as a matter of legal theory, are subject to cogent, even dispositive, criticism. At the deepest level, one questions whether the Hardwick notion of individual autonomy—a congeries of emotions, psychological motives, biological needs, and other subrational data—can be taken as a morally sufficient ground for human action. Princeton legal philosopher Robert George has recently defined an alternative, traditional view of "morals legislation." Truly immoral behavior, he says, even if "harmless"

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to others, may still be subject to legal proscription in the interests of the actor. Morals laws are justifiable by a "paternalistic concern for the moral character of persons who desire to perform immoral acts, and a quasi-paternalistic concern for the moral character of persons whose desires and choices are likely to be affected by the moral quality of the social milieu which morals laws may help to maintain." In this view, law encourages an individual to form, and then helps him to maintain, a virtuous character. Besides the argument of conservatives that legal maintenance of the moral consensus is necessary to a functioning society, George emphasizes that it is truly good (not just socially or individually useful) for persons to be virtuous, and that only *true* (i.e., verified not only by cultural habit but by critical reason) moral norms may be legitimately enforced.

But were we, *pace* Robert George and the conservatives, to accept Hardwick's legal theory as true, the dissent would still be mistaken. For though Hardwick would have a good argument, it would still not be an argument decisive for constitutional lawmaking—which is, we do well to bear in mind, distinct from legal theory and, more important, stems from a definite *enactment* that confines theoretical speculation. Hardwick's argument is one that should instead be addressed to legislators. They create rights all the time. Historically, they have created the bulk of ours. In fact, they *have* recognized the right of privacy. Since 1960 about half the states have repealed laws like Georgia's. And without repealing it, Georgia didn't enforce its own. The point is, there are a lot of good ideas out there—free public education, welfare, social security, nondiscrimination in the work place—that have never been constitutionalized. They are bedrocks of our cultural and legal orders, yet they exist entirely at the pleasure of our political process. It is essential to counteract the widespread uncritical identification of good ideas, even political morality itself, with constitutional law. Ours is, for better or worse, unequivocally *not* a government by the judiciary, or anything approaching it.

"Morals laws" are an *option* for legislators under our Constitution. They may pass laws against sodomy. They do not have to. They may adhere to the traditional view. But they may also be liberals, and decriminalize sodomy as well as other "victimless crimes." In this particular, our Constitution is agnostic: it neither commands nor prohibits proscription of so-called victimless immoralities.

What, then, is the correct constitutional law answer to the question posed by *Hardwick*? It is not the same answer as that to the related question in legal theory. I share the view articulated by Professor George, which is that immoral actions, even if not harmful to innocent bystanders, may be prohibited. *May* but not *must*, because a host of prudential factors—available enforcement resources and other demands for them, the unlikelihood of favorable jury verdicts, the loss of privacy attending enforcement efforts—counsel restraint. We are lucky the founders left the matter out of court: courts are not particularly adept at such multivariable, prudential calculations. The new privacy jurisprudence, indeed, does not contend that they are. In this jurisprudence, the issue is viewed as a matter of principle—and courts are claimed to be far better than legislatures where matters of principle are at stake.

In this context, we need to deal with what I would call the "traditionalist pragmatic" approach to *Hardwick*. Pragmatic Traditionalists share a belief in the immorality of gay sex, and are suspicious of the judicial privacy project, not least because it produced *Roe*. Still, they might hold that protection of Hardwick's behavior is a not unreasonable price to pay for an encompassing right of family and sexual privacy. To be sure, *Roe* is *not* included in this trade-off; *Roe* is non-negotiable. But otherwise a bargain can be struck: yes to the "privacy" project accepting the *Hardwick* dissent as a cost outweighed by freedom from state meddling in intensely private matters like sex and family life.

Good luck to the people who hold such views, if they imagine they can do a deal on some issues of privacy and at the same time keep *Roe* off the table. The proponents of *Roe* persistently lump it with all the other elements of the privacy project, particularly the right of contraception in *Griswold*—a right, be it noted, now enjoyed not only by married couples, but by single adults and minor children. Moreover, the constitutional doctrine of privacy also includes a "right-to-die" whose consequences may be very unhappy to contemplate. *Now* toss in *Hardwick*. Our pragmatists may be ready to reconsider their bargain.

Well they might, for—so I would argue—the privacy doctrine is inextricably bound up with a radically new vision of social life, one thoroughly destructive of traditional morality. The only genuine *constitutional* argument proposed on behalf of Hardwick's claim would, if accepted, institutionalize this new vision. If we redefine the nature of human existence—personal, social, political—as organized around the needs and dictates of the "expressive" or (my term of choice) "erotic" self, this is the constitutional order that follows. Behind the beckoning right to privacy lurks a revolutionary worldview.

To begin to flesh out this argument, let us turn back and retrace the arguments offered for Hardwick by Tribe and by the four dissenting justices (Blackmun, Marshall, Brennan, Stevens).

There is no reasonable doubt that the justificatory efforts in this case are alien to the constitutional text. What Phillip Kurland once said about the Court's church-state decisions is here apropos: the Constitution has been an excuse, not a reason, for the opinion. Consider the text "interpreted" by the *Hardwick* Court: "No state shall deprive any person of life, liberty, or

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property without due process of law." Nonspecialist readers no doubt are wondering what sodomy has to do with that clause. The answer—ultimately unsatisfying—is a long historical tale we can skip, except to note that the tale is all about simple judicial insertions into the Constitution. The basic problem is not so much that the constitutional text is clay in the black-robed potters' hands. Were that the case, at least the clay itself would limit the possibilities for manipulation. No, the application of the "due process" amendment to Mr. Hardwick's pleasures is pure creation *ex nihilo*.

Even the pretense of finding warrant in the Constitution has become half-hearted. Some vague and undifferentiated "first amendment," rather than the one encompassing the rights actually named by the First Congress (free speech, free press, right of assembly, free exercise of religion, etc.), is invoked. Then a catchall "privacy," or "autonomy," is substituted for the even more motley collection that makes up the Bill of Rights.

In 1965, *Griswold* set the standard for this kind of analysis, which I call the "in-de-ductive" method of constitutional lawmaking. "Induction" refers to a general analytical technique that first investigates all relevant phenomena and seeks in them a common principle. "Deduction" starts from an intuited or self-evident principle and proceeds to derive implications. *Griswold* did both. First, it surveyed the entire Constitution, particularly the Bill of Rights, and decided that "privacy" was a common element, following which a "general" right to privacy was dubbed an autonomous principle. From this principle certain desired conclusions—like use of contraceptives or abortion-on-demand—are confidently drawn. The special virtue of in-de-duction is that neither contraception nor abortion could persuasively be drawn from a single constitutional clause. Loosed from all moorings in the now-transcended text, the visionary jurist is free to pursue his extraneous commitments.

Perhaps the best example of this kind of extratextualism can be found in Blackmun's method in *Hardwick*. The key passage, in full:

> I believe we must analyze respondent Hardwick's claim in the light of the values that underlie the constitutional right to privacy. If that right means anything, it means that, before Georgia can prosecute [Hardwick], it must . . .

Note the progression away from the text until it is completely out of sight. Blackmun starts with a bulk right called "privacy," tenuously tethered to the Constitution. Then he decides (how is unspecified, but one suspects further recourse to a preferred nonconstitutional vision) *its* underlying values. Top all of this off with flat assertion, "If this means anything, it means . . .," and you have, I submit, completely removed the Constitution from constitutional law.

"Authority" in Blackmun's hands is precedent, and consists almost entirely of citation to post-*Griswold* "privacy" cases. He does cite a few earlier cases, but a careful look at them—*Pierce v. Society of Sisters* (1925), *Meyer v. Nebraska* (1923), *Skinner v. Oklahoma* (1942)—shows they are not in any meaningful sense precedents for *Hardwick*. (Suffice it to say that these cases antedate the erotic self's takeover of constitutional law.) The argument, then, is a judicial construction of the last twenty-five or so years. *Griswold* is invariably cited first in this string of contemporary "privacy" cases. But *Griswold* cannot support *Hardwick* for the simple reason that, as *Eisenstadt v. Baird* (a successor contraception case) admitted, *Griswold* only struck down "an unconstitutional infringement of the right of *marital* privacy." *Eisenstadt* blithely and without justificatory effort redefined marriage—"marital privacy"—by reducing it to its individual, constituent parts. That is, *Eisenstadt* struck down on privacy grounds state laws against contraceptive distribution to *unmarried* persons by the simple declaration that what married persons can do, it is irrational to say single persons should not do. So much for the family.

The chief culprit, however, is not the glibly mischievous *Eisenstadt* but the 1969 decision in *Stanley v. Georgia*. *Stanley* is uncannily similar to *Hardwick*. Georgia also prosecuted Mr. Stanley for sexual indulgence in his home. Police officers, acting for reasons unrelated to the morals offense for which Stanley was arrested, found dirty movies in Stanley's bedroom. He was charged with possession of "obscene" materials. This statute did not, as the one in *Hardwick* did not, attend to any particular place. Therefore, the statute was not a public decency law; its concern was not with protecting the sensibilities of passers-by. The same concern for the moral well-being of Georgians explained both laws. The issue commonly addressed by both: is human sexuality a faculty intended merely for self-gratification?

Now, prior to *Stanley*, there had been a category of printed and other materials entirely outside the protections of the first amendment. In common legal parlance, "obscene" materials enjoyed no constitutional protection; their regulation presented no constitutional question. Obscenity cases were all about defining what constituted "obscenity," and thus distinguishing it from the protected class of materials. The parties to *Stanley* stipulated, and the Court assumed, that the movies were "obscene" as the term was then defined. The case made no effort to redefine "obscenity." Yet Stanley's prosecution was invalidated due to some constitutional right relating to "obscene" materials.

The conclusion, according to Justice Marshall's opinion, was that Stanley's conduct "cannot constitutionally be made a crime." Why not? Mr. Stanley

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"is asserting the right to read or observe what he pleases—the right to satisfy his intellectual and emotional needs in the privacy of his own home." This "traditional notion of individual liberty" was found by the Court to be embedded in the philosophy of the first amendment:

> The makers of our Constitution undertook to secure conditions favorable to the pursuit of happiness. They recognized the significance of man's spiritual nature, of his feelings and of his intellect. They knew that only a part of the pain, pleasure, and satisfactions of life are to be found in material things. They sought to protect Americans in their beliefs, their thoughts, their emotions, and their sensations. They conferred, as against the Government, the right to be let alone—the most comprehensive of rights and the right most valued by civilized man.

In what I submit is the first shot in a genuine constitutional revolution (not *Griswold*, which is distinguishable, and not the later *Roe*), Marshall asserted that prior cases actually stood for the individual autonomy suggested by the "right to be let alone," save for regulation justified by "important interests." What might those interests be here? "Georgia asserts the right to protect the individual's mind from the effects of obscenity." Marshall well understood this argument, even as he scoffed at it. He realized it was the traditional commitment to nurturing the moral well-being of individual citizens. "To some, this may be a noble purpose, but it is wholly inconsistent with the philosophy of the first amendment." With this, the Bastille has now fallen.

Stanley is all about limits on government power. Georgia said that exposure to obscene materials may lead to deviant sexual behavior or crimes of sexual violence. To which Marshall responded that there was little empirical evidence for that assertion. The law had until then firmly rejected the idea that a connection with anti-social conduct need be shown. In the new world of *Stanley*, regulation of public distribution of obscene materials is appropriate solely because children might get them (and they are too immature to exercise the new sexual freedoms), or they "might intrude upon the sensibilities or privacy of the general public." Casual display of erotic materials dragoons unwilling participants into the new orgiastic morality.

How has this revolution been supported? By flat assertion. Here, in order, are the central "justificatory" passages for the three bedrock cases—*Stanley*, *Eisenstadt*, *Roe*:

Stanley (1969): "If the First Amendment means anything, it means that [Stanley can watch what he pleases at home]."

Eisenstadt (1972): "If the right of privacy means anything, it is the right of the *individual*, married or single, to [make his or her own procreation decisions]." (Emphasis in original.)

Roe (1973): "This right of privacy [wherever it is in the Constitution] is broad enough to encompass [right to abortion-on-demand]."

Then, Justice Blackmun in *Hardwick*: "If that right [of privacy] means anything, it means [that Georgia must justify to the judiciary its proscription of sodomy]." (Eerily, Justice O'Connor's swing vote in *Cruzan* aped this formulation: if due process "protects anything, [it must protect] an individual's deeply personal decision to reject medical treatment, including the artificial delivery of food and water.")

There is more to Blackmun's "argument," but now we are, finally, at the climax of the story. The question remains: how is he to persuade us that liberal political morality is *the* socially authoritative, architectonic principle—which is to say, that it is the constitutional master principle? Blackmun's strategy, largely derived from Tribe's writings, recognizes that the contested issue is one of legal theory. Legal theory, as Oxford's John Finnis notes, is part of social theory, and a methodologically critical social theory is determined by moral and political theory. Even from the perspective of critical thought, a particular legal theory depends for its validity upon an encompassing account of nothing less than human existence and reality. In that sense, legal philosophy is "contingent" upon a broader account of human experience. A legal theory also depends for its intelligibility and attractiveness upon the extant web of social relations, propositions, and institutions. That is, before "true" (i.e., verified by critical reason) political philosophy can be "enculturated"—adopted by persons in a concrete society organized for action in history as a *reason* for authoritative political action—it needs a hospitable cultural environment. It must "fit" with prevailing customs and laws as well as existing political institutions.

The obvious way to "reconstitute" a society, or constitute it anew, is by direct appeal to an entirely different paradigm of social and individual life. From that may be derived a legal philosophy with which the Constitution can be retooled. This is precisely what the *Hardwick* dissent proposed. Its direct, unmediated appeal to a reconstituted social reality is unprecedented in our constitutional history. The appeal is itself a frank confession that privacy doctrine is, after all, wholly discontinuous with our cultural and legal traditions. It cannot be justified by looking backward. Thus, it looks forward, and articulates the vision of a brave new constitutional world.

Tribe most brazenly propounds such a vision in his celebrated treatise, *American Constitutional Law*. He allows that the Constitution contains "no discussion of the right to be a *human being*." The judiciary will fill in the gap. Judges have "reached into the Constitution's spirit and structure and [have] elaborated from the spare text an idea of the 'human' and a

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conception of 'being' not merely contemplated but required." Required, evidently, by "humane" constitutional law, which Tribe frankly equates with a philosophy of "human beingness."

Blackmun is no less philosophically intoxicated. In what now may be pronounced *the* justificatory paragraph, he wrote in *Hardwick*:

> We protect those rights not because they contribute, in some direct and material way, to the general public welfare, but because they form so central a part of an individual's life. "The concept of privacy embodies the 'moral fact that a person belongs to himself and not others nor to society as a whole.' " *Thornburgh v. American College of Obstetricians & Gynecologists*, 476 U.S., at 777, n. 5 (Stevens, J., concurring), quoting Fried, Correspondence, 6 Phil, U Pub. Affairs 288-289 (1977). And so we protect the decision whether to marry precisely because marriage "is an association that promotes a way of life, not causes; a harmony in living, not political faiths; a bilateral loyalty, not commercial or social projects." *Griswold v. Connecticut*, 381 U.S., at 486. We protect the decision whether to have a child because parenthood alters so dramatically an individual's self-definition, not because of demographic considerations or the Bible's command to be fruitful and multiply. Cf. *Thornburgh v. American College of Obstetricians & Gynecologists, supra*, at 777, n. 6 (Stevens, J., concurring). And we protect the family because it contributes so powerfully to the happiness of individuals, not because of a preference for stereotypical households. Cf. *Moore v. East Cleveland*, 431 U.S. at 500-506 (plurality opinion). The Court recognized in *Roberts*, 468 U.S., at 619, that the "ability independently to define one's identity that is central to any concept of liberty" cannot truly be exercised in a vacuum; we all depend on the "emotional enrichment from close ties with others."

That entire paragraph contains but two statements of "law," that is, principles ratified by a majority of justices. One, the *Griswold* pericope, actually runs *contrary* to Hardwick's argument; *Griswold* protects heterosexual marital privacy, not gay frolics. The other, from *Roberts*, contributes something but is clearly doing menial work. The rest are scattered judicial statements, *not* authority. And the critical passage is from a scholar, ironically the former Reagan Solicitor General Charles Fried.

The paragraph is also overpopulated. The "right to intimate association," for example, reduces to a more fundamental right to define oneself, to be (in Tribe's formulation) "master of the identity [I] create in the world." So do the remaining statements about marriage, family, and the Jaycees (that's what *Roberts* was about). Thus Blackmun: that "individuals define themselves in a significant way through their intimate sexual relationships with others suggests, in a Nation as diverse as ours, that there may be many 'right' ways of conducting those relationships, and that much of the richness of a relationship will come from the freedom an individual has to choose the form and nature of these intensely personal bonds." As Russell Hittinger has summarized, legal uses of "autonomy," "expression," and "self-determination" are various modalities of a right to be self-defining. "Privacy" and "conscience" are two more commodious shorthands. Given the predominant context—sexual relations and reproduction—in which judges have encountered this colossus, it is here christened the "erotic self."

While recognizable in our society as far back as Emerson, this "self-creating self" was until quite recently culturally marginal. The aim of the moral life had long been precisely the ability to attune oneself to an order of being not of one's making, to discern and abide an objective morality. The apex of the spiritual life was the achievement of *kenosis*, self-emptying, so that, as St. Paul said, it is not I who live but He who lives in me. Until the 1960s no Supreme Court case could talk of the "moral" fact that we belong to ourselves for the simple reason that in a culture of traditional believers, and regardless of rights against government, "morally" persons thought they "belonged" to God. That is why Blackmun pointedly pits biblical morality against self-definition. The two are just plain incompatible. All of which suggests that the "expressive" or "erotic" self has gone from the fringe of society to being morally paradigmatic to being determinative of constitutional law in about a generation. Make no mistake about it: this is the tidal wave that sweeps away the traditional devotion to legal fostering of moral soundness. The Constitution is decimated in its wake.

And not only the Constitution. The god of self-creation shapes the rest of human reality. Morality, personal relations, community, society, politics, as well as constitutional law get redefined in turn. Take what I call the "inarguable orgasm." The object of sex is individual satisfaction, psychological and physical. "Physical intimacy," according both to Blackmun's opinion and to the logic of the new expressivism, is a constitutional entitlement. Homosexuality is at least partly an irresistible attraction, rooted in the "fiber of an individual's personality." Hence, to deny harmless satisfaction of this primal urge is to deny autonomy, the premier natural right.

Accordingly, marriage is redefined into a mutually beneficial expression of selves, ontologically indistinguishable from exploring the Grand Canyon in a canoe with someone you like. Nor in logic is it necessarily the company of one: in the new dispensation—and the Justices quizzed Tribe on precisely this

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issue—polygamy cannot be ruled out. Where is the harm to non-consenting participants? No-fault divorce and the new reproductive technology have already demonstrated the "safety" of multiple parents. Ozzie and Harriet have been replaced by Bob and Carol and Ted and Alice and . . .

The "moral" governance of sexual relations is thus a matter of consent and survival. Blackmun's pathetic attempt to pour the old wine—the traditional condemnation of extramarital sex—into the new wineskins of erotic selfhood proves it. His ingenious reconceptualization is worth viewing in detail. Whatever the erotic self desires, so long as harm to non-consenting bystanders is avoided, is simply not a matter of right or wrong.

> Although I do not think it necessary to decide today issues that are not even remotely before us, it does seem to me that a court could find simple, analytically sound distinctions between certain private, consensual sexual conduct, on the one hand, and adultery and incest (the only two vaguely specific "sexual crimes" to which the majority points, . . .) on the other. For example, marriage, in addition to its spiritual aspects, is a civil contract that entitles the contracting parties to a variety of governmentally provided benefits. A State might define the contractual commitment necessary to become eligible for these benefits to include a commitment of fidelity and then punish individuals for breaching that contract. Moreover, a State might conclude that adultery is likely to "injure" third persons, in particular, spouses and children of persons who engage in extramarital affairs. With respect to incest, a court might well agree with respondent that the nature of familial relationships renders true consent to incestuous activity sufficiently problematical that a blanket prohibition of such activity is warranted.

All relations are not only self-interested arrangements, but are essentially manipulative. Marriage and family life, however, are inevitably heteronomous, part of me because part of a "we." Is that not the dread loss of autonomy? How, now, about religious community?

Laurence Tribe in *American Constitutional Law* finds some "hope of solving the persistent problem of autonomy and community," which he decisively associates with the "dilemma of contemporary individuals—isolated and made vulnerable to the state's distant majorities at the very moment they are liberated from domination by those closest to them." "A rebirth of religious community [is not] a realistic prospect for more than a handful of moderns. However much power we delegate to church hierarchies or congregations under doctrines precluding judicial interference in ecclesiastical disputes, it seems accordingly unlikely that the social and cultural cohesion that family provided in our natural mythology will be supplied by worship or sacrament."

If there is any answer to this problem in Tribe's view, it is to be found in "facilitating the emergence of relationships that meet the human need for closeness, trust, and love in ways that may jar some conventional sensibilities. . . ." Of course, now that "family" and "religious community" are effectively irrelevant to the modern individual's "dilemma," conventional sensibilities—rooted in devotion to family and church—are our Constitution's nemeses. They cannot be sanctioned or fostered over against an individual's decision unconventionally to seek "closeness, trust, and love." The paradigm of religious liberty is no longer the autonomy of a worshipping community—now recast as an aggregate of individuals consoling each other and sharing shelter from the chilly, disenchanted public world of strangers—but individual religious autonomy, the right of "conscience." In this context, then, religious liberty is but another term for the assertion of the individual will over against all limitations, including God's plan for humankind.

Marriage, family, and church may seem a bit sterile in the new world, but they are still to some degree havens in a heartless world. At least relations are chosen, we have a right to control such intimate access to ourselves. But we cannot choose everyone who shall live in close proximity. Let me explain, briefly, what society and political life are like in the new world, and how they relate to the erotic self.

In the best-case scenario, venturing into society is like going to a suburban mall. The worst case is like stepping onto a subway car in the wee hours, with no cop in sight. Gone in either event is the security born of control over relations in the private life of family and friends. We are now among strangers whose own "expressions" cannot be predicted and who are essentially subject to no internal moral restraint. In other words, we all live in a world of "subordination" and "domination." We hope not to encounter too many persons who will express themselves by dominating us. Sure, we may have interiorized the "harm" principle, but the "harm" principle is intrinsically like the Nazi-Soviet pact. Everyone sees it as a statement of present intention produced by prevailing strategic considerations. Everyone also sees that the "obligation" to continued adherence is a function of perceived self-interest. No one takes it as a solemn promise. Like commercial contracts in this new order, we do not promise to do "X." Rather, we agree to pay the value of "X" in dollars if, at the time of performance, we find it advantageous to do "Y" instead of "X."

People go to a mall seeking some item or service that will satisfy the desire or need that prompted the trip. The "good" of being there is wholly internal to us. We do not pretend to any kind of "community" there. Its denizens—the merchants—are there to satisfy

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their desire or need for money at our expense. The exchange need not be unpleasant, but no one doubts that the exchanges are rooted in perceived self-interest.

The late night subway ride differs in only one respect: we might encounter folks with rough edges, "them." After all, are not *all* relations strategic moves by solitary egos in the field of power? And have we not convinced ourselves that crime is a function of legitimate needs and desires (for example, money or power) that some persons, usually due to extrinsic societal causes, are denied by the system? The clearest proof here is not the hand-wringing for defendants by the ACLU and the *New York Times*. Rather it is the replacement of "punishment" as the end of the criminal justice system by "deterrence." Behavior control, not moral reformation, is all that liberal premises allow us to aspire to in legal operations.

Justice Brennan provided the definitive account of the new society in the 1989 *Michael H.* case: "[In] construing the fourteenth amendment to offer shelter only to those interests specifically protected by historical practice, moreover, the plurality ignores the kind of society in which our Constitution exists. We are not an assimilative, homogeneous society, but a facilitative, pluralistic one, in which we must be willing to abide someone else's unfamiliar or even repellent practice because the same tolerant impulse protects our own idiosyncrasies." We are a society of strangers.

Brennan says our society is "facilitative." Hittinger remarks that this means "that social goods are recognized only insofar as they serve the choices of individuals." Society has no intrinsic existence. "If we look at social realities as the products of individual choices, then it is a short step of logic to assert that society has anything other than a 'facilitative' value, since that is presumably what individuals endowed it with in the first place." One might have hoped that "society" might be defined by some deeper bond and commitment, by some shared moral substance of solidaristic spirit. Tradition carried on such an enterprise, in part, by the "enforcement of morals." That project is now barely understandable to Blackmun. He translates it as simple "intolerance." But "tolerance," we can now say, has some daunting costs.

The nature and purpose of political life are determined. Like society, politics is a recurring necessary evil. Its source and nature are determined by our philosophy of "human being." "Private" life, given what man "is" and wants, is the specifically human life. Men determine for themselves what ends they will pursue. Realization and enjoyment of those ends are intrinsically private activities. As Barbara Lenk writes, "politics is not constitutive of happiness or an aspect of human existence." "It is not 'natural' to man in the sense that it is necessary to the fulfillment of his proper end. . . ."

A more fulfilling conception of politics is ruled out by contemporary liberalism at the very beginning. Politics cannot have as its end the promotion of human excellence or the service of God. Politics maintains enough order to keep the trains running on time while we live our private lives with a maximum possible degree of happiness and autonomy. Politics is the precondition for the maintenance of life—its betterment and its enjoyment—in the private realm.

Law and custom—the product of political and social life—are now necessarily experienced as brute restraint, like the weather or the fact that I will never be Michael Jordan. Rules laid down from without the individual always burden the good of expressive selfhood. Like the weather, we attend to them, their prediction, and their probable effect upon our plans. But they *mean* nothing.

The substance of constitutional law is now apparent. I have chosen as my summation the critical argument in the *amicus* brief of the new clerisy, 885 law professors, in the *Webster* case concerning the right to abortion:

> The right of personal privacy stands against state domination over matters crucial to self-possession: self-definition in matters of value and conscience, and self-determination regarding ways and walks of life. By its force, government's hand is stayed from the diverse choices by which persons define their values, form and maintain communities of belief and practice, and bring up children whose lives in turn will be their own and not the State's. Accordingly, the Court's privacy doctrine has placed decisions regarding procreation, parenthood, and family formation at the core of those from which a *non-totalitarian* government must ordinarily be excluded.
>
> The right of personal privacy is the right of self-possession against the State, and the self begins with the body. "[To say] that my body can be used is [to say] that I can be used. . . ." Moreover, "the sense of possession of oneself . . . extends to possession of one's function. And this extends quite naturally to reproduction."

Thus does the doctrine of the erotic self reach its logical conclusion. Any legal obligations of community that might inhibit my creation of my unencumbered self are ruled out *tout court* as "totalitarian." Since we all know that totalitarianism is bad and the Constitution is good, it follows as night the day that the Constitution underwrites the erotic self. FT

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The Popes and the Economy

Francis Canavan

Papal doctrine on political economy has long been misunderstood as well as mistrusted among those economic liberals who in the United States have the curious habit of calling themselves conservatives. The recent publication of John Paul II's *Centesimus Annus,* commemorating as it does the centennial of *Rerum Novarum,* seems to me to provide a particularly appropriate occasion to examine this doctrine in the fullness of its articulation over the past century—not so much in order to defend it as to bring at least some clarity about what it is and what it is not.

I will use six papal encyclicals (including *Centesimus Annus*), beginning with Leo XIII's *Rerum Novarum* in 1891. It was followed by *Quadragesimo Anno,* published by Pius XI, as its title indicates, forty years later in 1931; by *Mater et Magistra* of John XXIII in 1961; *Populorum Progressio* of Paul VI in 1967; and *Sollicitudo Rei Socialis* of John Paul II in 1987.*

Other documents could of course be included. But these six form a self-conscious series, in which each of them, after the first one, begins by referring to its predecessors, and claims to build upon and develop them in a consistent body of social teaching. Developments in doctrine there certainly have been; for example, the earlier encyclicals contemplate national, and particularly European, economies, while those written after World War II think in global terms, address the problems of the recently independent and economically underdeveloped countries of the Third World, and elaborate a theory of development. It can also be said that John Paul II has a more positive view of the free market than his immediate predecessors. Nevertheless, none of these encyclicals is a break with or a repudiation of the previous ones. I shall therefore feel justified in treating them as a unified body of teaching, the parts of which can be cited in support of the same basic set of principles over the course of a century.

The most basic of these principles are derived from the Catholic doctrines of creation and redemption. God created the universe out of nothing. It therefore reflects and participates in His truth and goodness. The created universe is a vastly different place from the uncreated and ultimately meaningless universe of post-Christian modernity (and is therefore much less suited to a purely mechanistic theory of economics). On the face of this earth, man is the highest of all creatures because, intelligent and capable of free choice, he is the image and likeness of God and is, furthermore, redeemed and made a sharer in God's own life by Jesus Christ.

From this view of man and the world, it follows, in the words of John XXIII, "that individual men are necessarily the foundation, cause, and end of all social institutions." "We are referring," the pope explains, "to human beings insofar as they are social by nature and raised to an order of existence that transcends and subdues nature" (MM, 219). Society exists for man, and man finds his meaning and purposes in God.

There is therefore a certain individualism in Catholic thought. Paul VI explains (PP, 15):

> In the design of God, every man is called upon to develop and fulfill himself, for every life is a vocation. . . . Endowed with intelligence and freedom, he is responsible for his fulfillment, as he is for his salvation. He is aided, or sometimes impeded, by those who educate him and those

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*I have used the pamphlet translations of these encyclicals published by the Daughters of St. Paul, 50 St. Paul's Avenue, Boston, MA 02130. References to them will be by the initials of their Latin titles (e.g., RN for *Rerum Novarum*), and the number of the paragraph quoted or cited, except in the case of *Quadragesimo Anno*, whose paragraphs are not numbered, and which must therefore be referred to by page number (e.g., QA, p. 19)

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> with whom he lives, but each one remains . . . the principal agent of his own success or failure. By the unaided effort of his own intelligence and his will, each man can grow in humanity, can enhance his personal worth, can become more a person.

It goes without saying that, in these words, the pope does not deny or question man's dependence on God's grace, but means only that ultimately each of us, and not society, makes or breaks himself. Here we have a rejection of collectivism and of every form of totalitarianism which reduces the individual to a mere cell in the body of society. At the same time we are urged to reject the atomistic individualism of liberal thought, which explains society as a collection of individuals banded together for the protection of their private rights and interests. As John Paul II puts it, "the transcendent reality of the human being . . . is seen to be shared from the beginning by a couple, a man and a woman, . . . and is therefore fundamentally social" (SRS, 29).

We may remark without facetiousness that this last statement is pregnant with vast implications. Man is by nature, and not by choice, social. Community is as natural to him as is individuality. Justice therefore is not merely a regulator of contractual relations among individuals. It also governs the relationships among human beings that flow from their destiny to live in a community with a true common good which "embraces the sum total of those conditions of social living whereby men are enabled more fully and more readily to achieve their own perfection" (MM, 65). Nature thus establishes a distributive and a social justice, as well as the commutative justice that governs exchange relations such as buying and selling.

Catholic social doctrine rests on certain theological premises. Not only that, it must be understood as being a theology rather than a political or economic program. Its function is to state the God-given goals of human life, social as well as individual, the basic moral guidelines for achieving those goals, and the moral boundaries that must not be violated in striving for our more immediate ends. John Paul II has therefore been able to say: "The Church's social doctrine is *not* a 'third way' between liberal capitalism and Marxist collectivism, nor even a possible alternative to other solutions less radically opposed to one another. . . . Nor is it an ideology, but rather . . . belongs to the field . . . of theology and particularly of moral theology" (SRS, 41). It was from this moral-theological point of view that he criticized "both liberal capitalism and Marxist collectivism" as "two concepts of the development of individuals and peoples, both concepts being imperfect and in need of radical correction" (SRS, 21).

Which was not to say, as many commentators leapt to assume, that he regarded them as morally equivalent. What he meant becomes clearer in his more recent encyclical (CA, 19), where he says that the "affluent" or "consumer" society makes a radical mistake when it "seeks to defeat Marxism on the level of pure materialism by showing how a free-market society can achieve a greater satisfaction of material human needs than Communism, while equally excluding spiritual values," and thereby "totally reduces man to the sphere of economics and the satisfaction of material needs." To the extent that capitalism degenerates into mere consumerism, it is as materialistic as Marxism. But capitalism need not degenerate in this way, though it is always in danger of doing so and is therefore in need of moral correction.

Since Marxism is collapsing all over the world and can no longer be taken seriously as the wave of the future, it is not necessary here to expound in detail the popes' criticism of it. If there is a wave of the future, it seems at this time to be capitalism. For that reason, what the popes have had to say about capitalism is more interesting and relevant to our concerns.

What, then, is capitalism as these documents understand it? Pius XI said that Leo XIII, in his encyclical, "had chiefly in mind that economic regime in which were provided by different people the capital and labor jointly needed for production" (QA pp. 48-49). According to Leo, "nature has commanded in the case of the State that these two classes . . . should properly form equally balanced counterparts to each other. Each needs the other completely: neither capital can do without labor, nor labor without capital" (RN, 28). The popes, therefore, have accepted capitalism understood as an economic system in which some people own capital goods and others work with those goods in a joint process of production. Their criticisms are aimed at the abuses of capitalism, not at the system as such.

Pius XI explained (QA, p. 49):

> Leo XIII's whole endeavor was to adjust this economic regime to the standards of true order; whence it follows that the system itself is not to be condemned. And surely it is not vicious of its very nature; but it violates right order whenever capital so employs the working or wage-earning classes as to divert business and economic activity entirely to its own arbitrary will and advantage, without any regard to the human dignity of the workers, the social character of economic life, social justice, and the common good.

Similar criticisms of capitalism are found throughout the encyclicals. Perhaps the clearest and most succinct of them occurs in Paul VI's *Populorum Progressio* (26), where he condemns "a type of cap-

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italism" (described as "unchecked liberalism"), which "considers profit as the *key* motive for economic progress, competition as the *supreme* law of economics, and private ownership of the means of production as an *absolute* right that has no limits and carries no corresponding social obligation" (emphasis added). I have heard this and other papal statements rejected as attacks on a straw man, since no one advocates that kind of capitalism. This criticism would be easier to accept, however, if conservative editorialists in this country did not so regularly talk as if they believed in the unchecked economic liberalism that Paul VI described and if they did not reprobate any modification of it as socialism. Be that as it may, this is the kind of capitalism to which the popes object in their encyclicals.

They do not propose socialism as its remedy, nor do they suggest doing away with private property or the market economy. "Without abolishing the competitive market," said Paul VI (and he spoke for all the popes), "it should be kept within the limits which make it just and moral, and therefore human" (PP, 61). As for private property, Catholic social doctrine not only does not condemn it, but emphatically affirms it. If anything, the popes want more of it, more widely spread, and could cheerfully accept what was once the slogan of Britain's Conservative Party, "a property-owning democracy."

Leo XIII argued at length that private property was a natural and socially necessary right (RN, 9-23), and went so far as to say that "the right of private property must be regarded as sacred" (RN, 65). Property is the spur to industry and the source of wealth: "If incentives to ingenuity and skill in individual persons were to be abolished, the very fountains of wealth would necessarily dry up" (RN, 22). Furthermore, property is the bulwark of that basic institution of society, the family, which a father can only protect and provide for "by owning fruitful goods to transmit by inheritance to his children" (RN, 20).

Seventy years later, in 1961, John XXIII took note of the arguments which certain writers had advanced to suggest that in a modern and developed economy, where most people depend on their skills and draw their income from their jobs, private property was no longer important. But he rejected those arguments, saying, "The right of private property, including that pertaining to goods devoted to productive enterprises, is permanently valid" (MM, 109).

Papal social thought acknowledges and defends the right of private property, but does not regard it as unconditioned and absolute. In the Christian scheme of things, property is stewardship. Man has the right to own and use it, but in subordination to God's purposes, not merely his own. The earth is God's, for He made it, and He made it for the sustenance and development of the whole human race. The division of the earth into private possessions is meant to benefit all mankind, and is justified because, in addition to private interests, "it does not cease to serve the common interests of all" (RN, 14).

"The right to own private property," said Pius XI, "has been given to man by nature, or rather by the Creator Himself, not only in order that individuals may be able to provide for their own needs and those of their families, but also that by means of it, the goods which the Creator has destined for the human race may truly serve this purpose" (QA, p. 23). It follows that, in the use of property, "Men must take into account . . . not only their own advantage, but also the common good. To define in detail these duties, when the need occurs and when the natural law does not do so, is the function of the government" (QA, p. 25).

The quarrel that apologists for liberal capitalism have had with Catholic social thought is not that the popes deny the right of private property or the usefulness of the market, since in fact they do not do that. It is rather that the popes do not believe that the common interest of society is adequately served by the profit motive and market forces alone, but requires some degree of governmental regulation and management of the economy.

At the time when *Rerum Novarum* was written, said John XXIII in *Mater et Magistra* (11),

> . . . an opinion widely prevailed and was commonly put into practice, according to which, in economic matters, everything was to be attributed to inescapable natural forces. Hence it was held that no connection existed between economic and moral laws. Therefore, those engaged in economic activity need look no farther than to their own gain. Consequently, mutual relations between economic agents could be left to the play of free and unregulated competition. Interest on capital, prices of goods and services, profits and wages, were to be determined purely mechanically by the laws of the marketplace. Every precaution was to be taken lest the civil authority intervene in any way in economic affairs.

Pope John acknowledged later in his encyclical (47-49) that significant changes had taken place in capitalist societies since 1891. Standards of living and education had risen, systems of social security were common, there was more popular participation in public life, greater social mobility, and a decline in class divisions. Liberalism as an economic theory remained alive, however, and, as before, was based on a mechanistic theory of the nature of the world and of human society, a view of the universe as a vast machine operating automatically to produce the right and best results. The results, therefore, did not have to be intended by human intelligence, and any effort to plan them could only prevent or mar them.

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The popes have steadfastly rejected this view, either of the universe or of an economic system modeled on it. They admitted that there are laws of economics: "The so-called laws of economics, derived from the nature of earthly goods and from the qualities of the human body and soul, determine what aims are unattainable or attainable in economic matters, and what means are thereby necessary." But these laws, valid though they are within their limits, are not independent of or superior to the moral law, which sets the higher ends of life, and to which particular economic aims must be subordinated (QA, pp. 21-22). For example, if it is economically unfeasible for employers to pay a living wage for labor because of the prevailing conditions of competition, we should change the conditions of competition. This can be done by setting a legal minimum wage, by making collective bargaining legally obligatory, or by still other means that are not beyond the reach of human intelligence.

The Catholic mind is a synthesizing mind that seeks to unify all aspects of reality and all the areas of human knowledge in a coherent worldview. Such a mind runs the risk of producing what Reinhold Niebuhr called "a presumptuous claim of finality," that is, a final answer to the problems of society that is really only an incomplete one. But if we are not to allow economic forces to run wild in the fond hope that nature, as by an invisible hand, will direct them to the good of the community, we must try to bring it about that "particular economic aims, whether of society as a body or of individuals, will be intimately linked with the universal teleological order" created by God (QA, p. 22).

The liberal mind, atomistic and mechanistic as it is, constantly detaches means from ends and turns them into ends in themselves. In our doctrine of freedom of speech, for example, "expression" becomes its own end, to be pursued and protected without regard to the ends for which a rational and free people might have intended to guarantee it constitutional protection. Similarly, economic productivity and efficiency become ends in themselves, to be pursued without limit. It is against this that the Church protests. As Paul VI said (PP, 34):

> Every program made to increase production has, in the last analysis, no other *raison d'être* than the service of man. . . . It is not sufficient to increase wealth for it to be distributed equitably. It is not sufficient to promote technology to render the world a more human place in which to live. . . . Economics and technology have no meaning except from man, whom they should serve. And man is only truly man insofar as, master of his own acts and judge of their worth, he is author of his own advancement, in keeping with the nature which was given him by his Creator, and whose possibilities and exigencies he himself freely assumes.

Catholic individualism differs from liberal individualism precisely in that it looks to our common human nature as created by God for the obligatory norms of human action. Therefore, as Paul VI also said, faced with a rapidly developing world, we must ask what the goals of development are, and we must look for the answer in a new, complete, and transcendent humanism that aims at "the fully-rounded development of the whole man and of all men" and "is open to the Absolute and is conscious of a vocation which gives human life its true meaning" (PP, 16, 20, 42). Since this is the language of theology, it may seem remote from the practical concerns of economics, but it offers an answer to a question that economics on its own cannot answer: What is economic development for?

The reader will have noticed the considerable emphasis that the encyclicals put on freedom and self-development, both individual and social. It found classic expression in the principle of subsidiarity formulated by Pius XI (QA, p. 40):

> Just as it is wrong to withdraw from the individual and commit to the community at large what private enterprise and industry can accomplish, so, too, it is an injustice, a grave evil, and a disturbance of right order for a larger and higher organization to arrogate to itself functions which can be performed by smaller and lower bodies. . . . Of its very nature the true aim of all social activity should be to help individual members of the social body, but never to destroy or absorb them.

This is a purely formal principle that does not answer substantive questions. To illustrate by way of example, consider the Golden Rule, which tells us not to do unto others what we do not want them to do to us. The rule does not tell us what we don't want others to do to us; that is something we must decide for ourselves. In like manner, the principle of subsidiarity tells us that it is wrong to assign to a larger and higher organization functions that smaller and lower bodies can perform efficiently, but it does not tell us what those functions are. Nor can it do so in the abstract, since the judgment on them will necessarily vary with circumstances and changing conditions. Yet the principle is neither meaningless nor useless, because it inculcates a steady bias toward decentralization, freedom, and initiative.

John Paul II has restated this bias in a passage obviously directed against socialist bureaucraticism (SRS, 15):

> It should be noted that in today's world . . . the right of initiative is often suppressed. Yet it is

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> a right which is important not only for the individual good, but also for the common good. Experience shows that the denial of this right, or its limitation in the name of an alleged "equality" of everyone in society, diminishes, or in practice absolutely destroys the spirit of initiative, that is to say, the creative subjectivity of the citizen. As a consequence, there arises, not so much a true equality as a "leveling down." In the place of creative initiative there appears passivity, dependence, and submission to the bureaucratic apparatus which, as the only "ordering" and "decision-making" body—if not also the "owner"—of the entire totality of goods and the means of production, puts everyone in a position of almost absolute dependence, which is similar to the traditional dependence of the worker-proletarian in capitalism.

He returned to this theme in more detail in *Centesimus Annus* (25), where he said: "The social order will be all the more stable, the more it . . . does not place in opposition personal interest and the interests of society as a whole, but rather seeks ways to bring them into fruitful harmony. In fact, where self-interest is violently suppressed, it is replaced by a burdensome system of bureaucratic control which dries up the wellsprings of initiative and creativity."

On this basis, John Paul II has praised private economic enterprise in tones more enthusiastic than we have been accustomed to hear in papal documents (CA, 32):

> Many goods cannot be adequately produced through the work of an isolated individual; they require the cooperation of many people in working towards a common goal. Organizing such a productive effort, planning its duration in time, making sure that it corresponds in a positive way to the demands which it must satisfy, and taking the necessary risks—all this too is a source of wealth in today's society. In this way, the role of disciplined and creative human work and, as an essential part of that work, initiative and entrepreneurial ability becomes increasingly evident and decisive.

"It would appear," he continues (CA, 34), "that, on the level of individual nations and of international relations, the free market is the most efficient instrument for utilizing resources and effectively responding to needs." The efficiency of the market is limited, however, to "those needs which are 'solvent,' insofar as they are endowed with purchasing power," and to "those resources which are 'marketable,' insofar as they are capable of obtaining a satisfactory price. But there are many human needs which find no place on the market." At this point the demands of justice take precedence over the market, and require us "not to allow fundamental human needs to remain unsatisfied, and not to allow those burdened by such needs to perish."

John Paul II's judgment on capitalism is a balanced one. While he puts heavier emphasis on the virtues of capitalism than his predecessors had done, he does not disagree with them. He answers the question whether, after the collapse of Marxist regimes, we can take capitalism as a model in these words (CA, 42):

> If by "capitalism" is meant an economic system which recognizes the fundamental and positive role of business, the market, private property, and the resulting responsibility for the means of production, as well as free human creativity in the economic sector, then the answer is certainly in the affirmative, even though it would perhaps be more appropriate to speak of a "business economy," "market economy," or simply "free economy." But if by "capitalism" is meant a system in which freedom in the economic sector is not circumscribed within a strong juridical framework which places it at the service of human freedom in its totality, and which sees it as a particular aspect of that freedom, the core of which is ethical and religious, then the reply is certainly negative.

In plainer English, John Paul II condemns the "unchecked liberalism" that Paul VI had condemned.

The encyclicals see the energies of society as flowing from below upwards, not from the top down. They see human society as a community of communities (or "intermediary bodies"), not as a collection of individuals who have contracted with each other to set up a mutual-protection association called the state. They see social cooperation as being more in accord with human nature and its true needs than the conflict and class warfare to which our fallen nature is so prone. They therefore favor a self-organization of society, beginning with the family through higher and higher levels of associations—industrial, agricultural, labor, educational, cultural, etc.—with the state at the top, performing an essentially coordinating role.

In such a society, said John XXIII, the state is to be the agent that "encourages, stimulates, regulates, supplements, and complements" (MM, 53). The result is an economy that is largely privately owned and privately operated, but regulated and to some extent managed. It will have a place for the market, but not the highest place because the common good must be intended; it will not happen spontaneously as the result of the free play of forces in the market. It is the duty of the state to see to it that it is intended. This is not to be done, however, by central planning fashioned and administered by a national or international bureaucracy. Rather, the popes propose that it be done with as widespread participation as possible

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by all the organized sectors of society. Social action for the common good can be the work of private bodies or the public authorities. Ideally, it will be a collaboration between them, in accordance with the principle of subsidiarity.

Rerum Novarum and *Quadragesimo Anno* were concerned primarily with the reform of advanced capitalist economies. Their major objectives included the moderation of class warfare, the guarantee of the right of workers to organize, payment of wages on which working men could support their families in decent comfort, and legislation to improve working conditions in the factories. They also urged action to establish a just balance between wages and prices, to spread the ownership of property more widely among the people, and to give workers a share in the ownership and management of enterprises. They favored putting checks on the economic and political power of the rich, not in order to give the victory in the class war to the poor, but to give both sides a stake in the economy that would let them regard each other as partners rather than adversaries.

The later encyclicals broadened their scope. *Mater et Magistra*, for example, addressed the question of helping the agricultural areas of a country to keep up with the pace of development in the industrial areas. John XXIII called here for a vigorous exercise of state authority: "To achieve orderly progress in various sectors of economic life, it is absolutely necessary that as regards agriculture, public authorities give heed and take action in the following matters: taxes and duties, credit, insurance, prices, the fostering of requisite skills, and finally, improved equipment for rural enterprises" (MM, 131). (Some of these things the federal and state governments in this country have been doing for decades.)

Paul VI urged international efforts for balanced development on a world scale (PP, 43, 44, 49):

> There can be no progress towards the complete development of man without the simultaneous development of all humanity in the spirit of solidarity. . . . This duty is the concern especially of better-off nations. Their obligations stem from a brotherhood that is at once human and supernatural. . . . We must repeat once more that the superfluous wealth of rich countries should be placed at the service of poor nations.

The practical policies that he advocated to carry this exhortation into practice included such measures as jointly planned multilateral programs of aid, the management of international debts, and equity in trade relations.

These and other proposals are the point at which morality approaches policy. I said above that what the popes offer is a moral theology rather than a political and economic program. There is, however, no absolute line between morals on the one hand and politics and economics on the other. Moral judgments shade into political and economic judgments. The practical judgments of politics and economics are never exempt from moral judgment. But the application of moral principles to practice becomes more and more conditioned and variable as more lessons of experience, information on present facts, and calculations of future results are fed into our political and economic decisions. As John XXIII said in another of his encyclicals, *Pacem in Terris* (154-155):

> We deem it opportune to point out how difficult it is to understand clearly the relation between the objective requirements of justice and concrete situations, namely, to define the degrees and forms in which doctrinal principles and directives ought to be applied to reality. And the definitions of those degrees and forms is all the more difficult in our times, which are marked by a pronounced dynamism. For this reason, the problem of bringing social reality into line with the objective requirements of justice is a problem which will never admit of a definitive solution.

There are objective requirements of justice, and we can know them well enough to find guidance and to recognize our moral obligations in them. But, beyond a certain point, their application to practice becomes a matter of practical judgment and prudence, and is the very stuff of politics, about which even the wise and the good, as well as the stupid and the selfish, can and will differ. "For you know," as Edmund Burke said, "that the decisions of prudence (contrary to the system of the insane reasoners) . . . almost all . . . are determined on the more or the less, the earlier or the later, and on a balance of advantage and inconvenience, of good and evil."

It therefore behooves all of us not to claim to know more than we do know. We do not live in a world in which all judgments can be reduced to mathematical certainties. To the doctrinaire mind, the needle on the gauge always stands at either zero or 180 degrees, because there is no scientifically demonstrable reason why it should stop at any particular one of the 179 degrees in between. Such a mind, however, is peculiarly unsuited to making political judgments, because they are affected by what Burke called "the unavoidable uncertainty, as to the effect, which attends on every measure of human prudence."

In dealing with economics and politics, we are not ordinarily confronted with stark either-or choices, but with choices between more or less and questions of how, when, where, by what means, and with what probable effects. We have to decide, not merely whether government should act, but how much or how little, and in what way. We must ask, therefore, what are the limits of the free market, within which it will in

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fact operate for the good of the whole community. That we seldom know with certainty what the right answer is does not mean that we can avoid trying to find it.

A good rule of thumb would be, when in doubt, do not intervene, because every government intervention in the economy politicizes economic decisions and subjects them to self-interested and short-sighted political pressures. But that is only half the story. The other half is that defenders of capitalism should stop preaching it as an ideology that enjoys the certainty of a demonstrative science (in which respect it is as dead as socialism), and should recognize it for what it is. That is, an existing and functioning economic system that has changed markedly in the past, can change again, and is constantly in need of adjustment to meet the basic requirements of justice for all the members of society.

The free market is useful, even (if you insist) very useful, and certainly more so than a command economy. But that is all it is: useful. The profit motive motivates men to seek profit, but that is all it does. It can inspire them to make office furniture or to peddle pornography, and if profit is their only motive, they will do whichever brings in the most profit. It is very easy—too easy—to point to the instances in which government intervention in the economy has been ineffective or counterproductive. But it would be much more difficult—I would say impossible—to prove that the free market always does a better job than government in solving society's problems or satisfying human needs.

In a recent conversation with a Hungarian colleague, I remarked how tragic it was that a record harvest in the Soviet Union was going to waste because the Soviet government could not distribute it properly to its people. "Americans take for granted," he replied, "what a large part of the world does not have—good roads." Just so; our continent-wide economy depends heavily on a magnificent highway system. Does anyone seriously object to the fact that the highways are government property and are built and maintained out of taxes? Certainly the trucking industry does not. And do we really expect free enterprise to protect us from water and air pollution, or from the urban and suburban sprawl that uncontrolled real-estate development produces?

As for satisfying our needs, the market cannot distinguish among human needs, human tastes, and human vices. It caters indiscriminately to all of them because, in an economic view, they are all indifferently "demands." As John Paul II explains (CA, 36),

> Of itself, an economic system does not possess criteria for correctly distinguishing new and higher forms of satisfying human needs from artificial new needs which hinder the formation of a mature personality. Thus a great deal of educational and cultural work is urgently needed, including the education of consumers in the responsible use of their power of choice, the formation of a strong sense of responsibility among producers and among people in the mass media in particular, as well as the necessary intervention by public authorities.

We would seem, therefore, to have some use for moral guidance in our political economy, and that is what the popes offer us. Whether and to what extent we should accept it is a matter that we may discuss and debate in our political forums. But to reject it out of hand because it is morality and not economics is to fall back into the liberal individualism that is currently the greatest weakness of both our economic and political systems. FT

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Review Essay

The Myth of the Civil War

Matthew Berke

THE CIVIL WAR. A film by KEN BURNS. *Shown as a PBS television series; also available on nine VHS videocassettes (11 hours). Individual purchases from Time-Life Videos, $180. Institutional price from PBS Videos, $350.*

ABRAHAM LINCOLN AND THE SECOND AMERICAN REVOLUTION. By JAMES M. MCPHERSON. *Oxford University Press. 173 pp. $17.95.*

> *Ask all our millions, north and south, whether they would vote now (were such a thing possible) to have our war for the Union expunged from history, and the record of a peaceful transition to the present time substituted for that of its marches and battles, and probably hardly a handful of eccentrics would say yes. Those ancestors, those efforts, those memories and legends, are the most ideal part of what we now own together, a sacred spiritual possession worth more than all the blood poured out.*
>
> — William James (1910)

Year after year we reap new harvests of Civil War literature, despite the admonition of some historians that the subject has been exhausted. We tell and retell the story of the Civil War, hoping through vicarious participation to gain a better sense of our national identity, vocation, and destiny. In other words, we see the Civil War as an event of mythic significance—the word myth being understood here in its formal and original sense, from the Greek *mythos* or "plot," a narrative rendering that discerns patterns and lessons in the midst of what would otherwise be an incomprehensible and terrifying welter of events. History, no less than legend, can achieve "mythic" stature insofar as it informs and edifies by telling a story that is a meaningful whole.

The Civil War readily lends itself to mythic interpretation. It is a story of great armies and desperate battles, of high stakes and larger-than-life personalities; and it exhibits in bold relief the grandeur of passionate convictions and heroic exertions. In his little book *The Legacy of the Civil War,* Robert Penn Warren has cited "inner drama" as key to the story's appeal. A civil war, he says, is "the prototype of all war, for in the persons of fellow citizens who happen to be the enemy we meet again, with the old ambivalence of love and hate and with all the old guilts, the blood brothers of our childhood. In a civil war . . . all the self-divisions of conflicts within individuals become a series of mirrors in which the plight of the country is reflected, and the self-division of the country a great mirror in which the individual may see imaged his own deep conflicts, not only the conflicts of political loyalties, but those more profoundly personal."

This inner drama is captured most memorably in the vision articulated by Abraham Lincoln and impressed on the mind of the nation through his speeches and writings (especially the Gettysburg Address and the Second Inaugural). Lincoln viewed the war as a process of reckoning by which a nation "conceived in liberty and dedicated to the proposition that all men are created equal" was forced to confront the enormous contradiction at the heart of its life: the institution of chattel slavery. The war was both a "testing" of the basic American proposition and a visitation of divine justice, punishing both sides in the contest: Southerners for their cruel system of bondage and Northerners for their greed, prideful self-sufficiency, and their complicity in the South's "peculiar institution." Through its suffering and atonement, and its rededication to founding principles—crowned by "a new birth of freedom"—the nation was finally made whole again.

In Lincoln's vision we can see the great universal human themes and archetypes—birth, initiation, trial, death, and rebirth—interpreted in a way that is distinctly Christian (even Judeo-Christian, one might say, given the centrality in Jewish thought of the Exodus event and the cycles of collective chastisement-and-restoration). For a people whose mental habits are conditioned by the Bible, seeing these themes and conflicts enacted in the external world confirms our deepest intuitions and hopes about life and history: that the movement of human existence is toward freedom and equality; that there is judgment on sin (even *in* history); that guilt can be purged through suffering, contrition, and repentance; that self-division can be overcome and reconciliation effected; that God wishes not the death, but rather the reformation, of sinners; that a newness of life in righteousness (despite continuing imperfections) is possible. Lincoln's ability to evoke the "mystic chords of memory" has inspired the production of a vast secondary literature;

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in fact, more books and articles have been published in the English language on America's sixteenth president than on any other person in the history of the world, with the two exceptions of Jesus Christ and William Shakespeare.

So tempting are the archetypal themes and patterns in the Civil War that few narratives on the subject—even if they consciously strive to purge themselves of all "myth," "romance," and "theology"—can avoid mythic language and constructions altogether. As Daniel Aaron, a scholar of American literature, has put it: "From its very beginning, the War seemed designed for literary treatment as if history itself had assiduously collaborated with the would-be writer. He had only to plagiarize from the plot of the authorial Providence who first blocked out the acts and scenes of its cautionary epic, to draw upon the coincidences, portents, climaxes, tragic heroes, and villains of the heavenly scenario."

The question, then, is whether the Civil War, or any other large event, can, in the end, bear the weight of a mythic interpretation once it is scrutinized in a realistic and objective manner. In short, does the poetic imagination, in seeking some larger "meaning," too readily fit the facts to some preconceived pattern, thereby transforming lived realities into symbolic events, creating an edifice of myth in the pejorative sense of the word: a false and tendentious account imbued with a moral significance and coherence that cannot be sustained in the face of all the evidence?

Confronted with the full horror of war, can we, should we, do we really want to say (with William James) that "those ancestors, those efforts, those memories and legends, are the most ideal part of what we now own together, a sacred spiritual possession *worth more than all the blood poured out*"? Given the complexities, ambiguities, and ironies of history, is it really possible to discern in the Civil War a tidy, wholesome moral—or is such meaning and coherence inevitably imposed as a "usable past" for the sake of patriotic aims or psychic satisfactions? Perhaps we simply ought to say, with Herbert Muller, that " 'in the final analysis,' there can be no final analysis."

Tension between the purely objective and the mythic seems to be a permanent feature of all serious Civil War narratives, a point vividly illustrated by Ken Burns' celebrated documentary, *The Civil War*, an eleven-hour, grand-scale epic that was researched with the utmost professionalism and produced with consummate artistic skill. When first shown on the Public Broadcasting System in the fall of last year, it precipitated an avalanche of critical acclaim and popular enthusiasm. Financed by General Motors and the National Endowment for the Humanities, *The Civil War* received by far the largest TV audience of any PBS series ever (39 million), and local PBS stations have been rebroadcasting it periodically over the past year. An adaptation of the film's narrative text, written by Geoffrey C. Ward, Ric Burns, and Ken Burns was made into a companion book (also *The Civil War*, published by Knopf) that spent several months on the *New York Times* bestseller list. The soundtrack recording of background music to the film has been the all-time best seller for the Elektra Nonesuch label.

The power of *The Civil War* derives from its ability to convey the largeness of the story. It explains the sectional crisis, rooted in conflict over slavery, that led to the war. It offers gripping accounts of the major battles, and covers in fascinating detail the politics, strategy, and logistics of war. There are deft and incisive sketches of the key *dramatis personnae*—Abraham Lincoln, Jefferson Davis, Ulysses S. Grant, Robert E. Lee, William Tecumseh Sherman, "Stonewall" Jackson, and Nathan Bedford Forrest, to name just a few. While it provides the Big Picture from the standpoint of politicians and generals, *The Civil War* also gives the "worm's eye" view, focusing considerable attention on the fears, hopes, tribulations, and sufferings of common soldiers, North and South. We hear in their own words (from their diaries and letters) the experience of war as they knew it. Special and continuing attention is given to two soldiers in particular—Elisha Hunt Rhodes of the Second Rhode Island Volunteers and Sam Watkins, Company H, First Tennessee—both volunteers of '61 who saw action in many of the major battles and somehow managed to survive four years of war, writing sensitively and revealingly (and with a chastening degree of literacy) about their experiences.

There is also the view from the homefront, by, among many others: mothers and wives of the soldiers, civilians caught up in the whirlwind of war, masters and slaves, journalists, politicians, a Northern businessman (George Templeton Strong), the wife of a Confederate cabinet member (Mary Chesnut), a famous nurse (Clara Barton), and a black freedman who became a prominent advocate of abolition and Negro rights (Frederick Douglass). While the "voice-over" for the main story line is provided by historian David McCullough, the diaries, letters, speeches, news reports, memoranda, and other contemporary material are read by actors or other prominent personages (Sam Waterston, Jason Robards, Morgan Freeman, Garrison Keiller, Colleen Dewhurst, Julie Harris, Jody Powell, etc.). There are frequent on-camera interviews with Civil War historians, the most conspicuous being Shelby Foote, a Southern writer whose folksy wisdom and courtly manner contributed enormously to the documentary's success. Foote's three-volume account of the war perhaps served as the model for this work; both the Foote trilogy and the Burns film display a similar artistry in integrating the story's diversity into a single seamless narrative. The film is further reminiscent of Foote's writings, and also those of the late Bruce Catton, in its ability to create poignant moments by seizing on just the right picture, anecdote, or quotation.

Unlike documentarians of more recent wars, who

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can utilize motion-picture footage, Burns had to rely on still images—photographs, paintings, and lithographs—accompanied by narrative, sound effects, and music. Dull as this might sound, Burns makes his images of war come to life with unexpected vividness and force. The rendering of battles is often electrifying and harrowing. Indeed, the lack of visual realism, rather than detracting from the film's interest, may actually enhance it by allowing the narration and sound effects to work more effectively on the imagination.

For all its virtues, however, *The Civil War* does equivocate in dealing with the larger significance of its subject, displaying a curious, sometimes confusing, ambivalence as between the mythic and the mundane. There is a certain value in allowing the heroic and the unheroic aspects of the story to remain in uneasy tension within the same narrative as an unbiased sampling of witnesses from the era. Yet one often wishes there might have been greater clarification and reconciliation between the divergent tendencies. For after experiencing the gamut of emotions aroused by this most affecting of documentaries—exhilaration, sorrow, anger, regret, compassion, fascination, incomprehension—we are still left asking how, in the end, we should regard and tell the story of the Civil War. Is America's great national ordeal just a lot of stuff that happened or is it, among other things, also a genuine morality play between the Forces of Freedom and the Forces of Slavery to be regarded with due reverence and awe? The question is really three questions:

(1) Looked at up close, and in view of the full reality of its suffering, pain, fear, and death, with all its squalid and ungallant aspects, does the war seem by its very nature to be unsuitable material for edifying tales and lessons?

(2) Was the war actually a struggle over freedom, and can we speak of the nation (in anthropomorphic terms) as undergoing a crisis of the "soul"? Or was the war merely the point of convergence for various social trends, constitutional and juridical quarrels, personal ambitions, and chance occurrences—having to do with freedom only in its unanticipated side effects?

(3) Did the country in fact experience "a new birth of freedom" as a result of the war?

I

Ken Burns' film never directly confronts the issue of whether familiarity with the reality of battle sours all attempts to see grandeur or transcendent meaning in war. He simply presents two contrasting perspectives. There is, on the one hand, a very definite mythic aura about the whole presentation—a celebration of heroism and greatness, a vindication of the martial virtues, and a musical background that is elegiac and wistful (particularly the mournful fiddle tune "Ashokan Farewell," which recurs throughout the film). The vantage point is sometimes remote, with a dreamlike quality, as if events, by having receded into the past, attain a kind of sacred status. The opening scene shows a solitary cannon on a hilltop at dusk, the sound of wind is heard, fog and smoke swirl all around (could it be the mist of legend?), while a voice reads the words of Oliver Wendell Holmes: "We have shared the incommunicable experience of war. We have felt, we still feel, the passion of life to its top. . . . In our youths, our hearts were touched with fire." In the very last scene, Shelby Foote reads from the memoirs of a Confederate soldier, who, thirty years after the war, revels in imagining a recurrence of marches and battles in Valhalla, after which the slain arise and, together with the living, all enjoy good fellowship, saying, "Did it not seem real? Was it not as in the old days?"

On the other hand, there is a strain in which heroism and idealism are eclipsed by the ignoble, low, and squalid: the stupidity and incompetence of generals, the petty intriguing of politicians, the greed of government contractors, the erratic (often unlovely) nature of public opinion. And for all its witness to valor and the sanctity of strife touched by devotion to a great cause, Burns' documentary also presents a vision of war that is not only terrible, but positively infernal and obscene. Scenes of the aftermath of battle are sometimes accompanied by the sound of flies swarming around the bloated bodies and blackened faces of the dead. In the Wilderness Campaign, it is noted, a forest fire consumed a multitude of Union wounded who were waiting to be evacuated. Amputated limbs are shown stacked in a bucket at a field hospital where surgeons operated without the use of anaesthesia or the knowledge of bacteriology; the patients, often victims of "minor" gunshot wounds to the arm or leg, died in droves from shock or infection. And, as if the perils of warfare were not bad enough, unsanitary army camps were even more lethal than the battlefield: of the 600,000 total dead in the Civil War, two-thirds died from disease. So unhealthy was the Union camp at Falmouth, Virginia in the winter of '63, we are told, that when reveille blew every morning the sound of drums and bugles was drowned out by the noise of a hundred thousand soldiers coughing as they rose.

Repeated exposure to such scenes threatens at points to overwhelm the story with a morbid and melancholy sense of war's sheer physical horror. Burns mitigates this effect in part through a skillful switching of mood and scene, but he still leaves the viewer somewhat shaken, suspicious of patriotic or romantic language to describe wars and battles. One calls to mind the post-World War I writings of Ernest Hemingway, which disdain lofty expressions such as "heroism," "courage," "glory," "honor," "devotion," "sacred," and "hallowed," implying that these words cannot possibly have meaning in a world where men by the

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thousands are mutilated and slaughtered like hogs.

How, if at all, is it possible to assert the value and worth of a just cause if the immediate, felt reality of war is inevitably that of sterile anguish, of meaningless chaos, terror, pain, and death? Is not the larger historical view merely a luxury available only to those not involved in the fighting or to participants only in retrospect, when, after the passage of time, and in light of subsequent events and reflections, they may sometimes see trials and ordeals as part of a meaningful whole? People *in the midst* of a terrible trial or ordeal, lacking transcendence over their immediate condition, are inevitably more impressed by the horror of the situation than by any sense of larger design or redemptive meaning. It might be argued, then, that to give an intellectually respectable history of the Civil War would mean to purge those traces of grandeur that could not have been experienced as such at the time.

It can hardly be denied that many Civil War soldiers in fact came to feel that no cause could be worth the human wreckage and horror they saw. The Burns' film shows how an early, naive enthusiasm for adventure and glory gave way to disillusionment and a loss of ideals and romance. On both sides there were many deserters, especially when, after years of fighting, it seemed that the war would drag on forever. There is nothing remarkable about war destroying youthful illusions or shattering the nerves of strong men. What really requires explanation, though, is why, in such an environment, so many men maintained such a high level of duty, courage, and devotion to cause. Shelby Foote, for instance, himself a World War II combat veteran, marvels at the long, arduous marches that the Civil War soldiers were able to endure and the perilous (often suicidal) stands or attacks they would routinely make, without complaint, when ordered to do so.

In making such observations, however, Burns' *Civil War* also exposes its frequently superficial treatment concerning the character of the ordinary soldier—in particular his inner spirit and source of moral courage, which, above and beyond strength and physical courage, can sustain a person through the worst trials. No doubt, the fortitude of the Civil War soldier is partly explained by the fact that life was generally insecure and arduous in the nineteenth century, that men expected to struggle hard, and, most likely, to die before they attained three-score-and-ten years. Too, the will to sacrifice and avoid disgrace must have been accentuated by the fact that most Civil War soldiers served with longtime friends and neighbors in locally organized regiments.

But any full explanation for their actions also must take account of the inner religious life of the time. For as it happens, nineteenth-century American Protestantism possessed an especially valuable stock of moral and spiritual resources for preparing people both to endure terrible trials and to see them as being part of a larger redemptive scheme. Being greatly concerned with the continuing actions of God in the world, Americans frequently interpreted the unfolding of both personal life and larger worldly affairs in biblical terms, as a drama and morality play authored and guided by Providence, containing various signs and portents that could be read by discerning believers.

Such efforts to "discern the signs of the times" were frequently crude, facile, and tainted by self-righteousness (as when a military victory would be seen as evidence of God's favor). At their best, however, they could grasp not only vindication but also a sense of God's righteous judgments on oneself or on one's own nation. Above all, the soldiers and citizens of the Civil War era did not think their sacrifices to be meaningless or "in vain"; much less did they regard history as a weird, Kafkaesque torture chamber. Even when the full meaning of events might temporarily remain obscure, their faith and hope in the meaningfulness of history enabled them to overcome, in significant measure, the radical split between the immediate perspective that knows only today's misery and the retrospective/transcendent view that sees higher purposes being worked through the apparent confusion of events.

Except in superficial or fleeting asides, Burns' *Civil War* fails to convey the intense and all-pervasive religious character of the age. The religious idiom of the day, echoing the King James Bible, occasionally surfaces in the film's narration; but without an explanation of its context, this language is easily misinterpreted as mere rhetorical convention or as the inevitable emotional excess of people in extreme situations. (In fairness, it must be said that the religious dimension is largely absent from *all* modern accounts of the Civil War.) Understood in this religious perspective, a Civil War narrative that makes intimations of larger meaning and grandeur (as the Burns film clearly does at many points) does not impose something alien upon the lived experience; such a dimension is in fact essential to any faithful rendering of how people at the time experienced and interpreted their lives and the larger events of which they were a part.

II

Of course, the Civil War's mythic viability cannot be maintained solely on the noble bearing of the contestants. Its larger importance, as the Burns' film recognizes, is that it finally settled the issue of slavery in the United States. The plight of the slaves is never far from center stage, and their great yearning for freedom provides some of the most powerful moments in this documentary's eleven hours. But was emancipation merely a side effect of the war, or was it integrally related to a larger morality play of Freedom against Slavery?

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Burns' *Civil War* does not answer the question decisively, one way or the other. Much of the narration seems to suggest that emancipation occurred fortuitously, as an unintended consequence of a North-South sectional dispute concerning abstract constitutional questions about the relation of federal and state authority. The war for the Union and the emancipation of the slaves are presented, in effect, as two separate stories that only happen to impinge on each other: the issue of slavery is seen to trigger sectional strife, and sectional strife in turn becomes the occasion for the slaves to attain their freedom—as a wartime exigency of the Federal government (to deny black manpower to the South and deploy it for labor, and eventually fighting, in the Federal Army; to destroy the planter class that had started the war; to energize an idealistic section of the North; to head off diplomatic recognition of the Confederacy by England and France).

Historian Barbara Fields, who appears repeatedly throughout the film as an expert on the emancipation angle of the story, lends weight to this interpretation. Even the main line of narration suggests that the war became an event of larger moral and historical significance almost by accident: "What began as a bitter dispute over Union and states' rights ended as a struggle over the meaning of freedom in America. At Gettysburg in 1863 Abraham Lincoln said perhaps more than he knew: the war was about 'a new birth of freedom.' "

There is certainly much evidence supporting the view that the cause of Union really stumbled into, and accepted only grudgingly, the cause of emancipation. One cannot watch Ken Burns' documentary, for example, and think that the conflict originated in a Northern project to root out the evil of slavery in the Southern states. What we see is that the sectional tension preceding secession and war was not principally about the fate of slavery in states where it existed, but rather a dispute over whether slavery should be permitted in, or prohibited from, the newly settled western territories. Northern interests, articulated largely by the recently formed Republican Party, favored the formation of new states in the west on the basis of "free soil" and "free labor." But these slogans represented more the economic self-interest of Northern whites than a desire to extend the blessings of liberty and equality to the black race: free soil worked to the advantage of small farmers against large plantations worked by slaves, and free labor protected white workers from the depressing effect on wages caused by slavery. Relatively few "Yankees" held a principled objection to Negro slavery, with only a tiny minority favoring its general abolition. Consistent with the racial feelings of their constituents, most Northern states severely limited the civil and political rights of free blacks within their borders. And in that fall and winter of 1860-1861, when Southern states began dropping out of the Union, Northerners (including Lincoln) made desperate, unseemly attempts to appease the South with promises to protect slavery in perpetuity.

If this picture of the North is not altogether inspiring, neither is a fair picture of the South likely to be entirely condemning. Southerners had, after all, inherited the "peculiar institution," and with it the fear of revenge by four million blacks in their midst. And they were to some degree pushed into an intransigent defense of slavery in reaction to the rhetoric from self-righteous Northern abolitionists who took no account of their precarious position, vilifying, even demonizing, them, and so creating a hardening of positions all around. (This ambiguous aspect of the abolitionists' role is *not* touched on by Burns' *Civil War.*) Set aside the tragic flaw of slavery, and the South becomes in some respects arguably the more attractive of the two regions. Had the Southern cause not been bound up with slavery, it would have been possible to sympathize more with the claim of "states' rights" advocates to be defending the freedom of individuals and smaller communities from the encroachments of a meddling and potentially tyrannical central government. The typical "Johnny Reb" was in fact not himself a slaveowner and very likely understood his cause as a defense of hearth and home more than anything else.

Clearly, then, it is impossible to make a simple identification of virtue with the North and vice with the South. Neither can the cause of Union be equated simply with freedom; the Burns film, following many venerable historical interpreters, is correct in insisting that the war began as a narrower legal-political dispute, only later assuming the higher, nobler aim of emancipation. Yet while strictly true, such a "realistic" interpretation will be inadequate to the extent that it explains events only in terms of impersonal social "forces," overlooking the subtle ways in which conscience and idealism actually operate in the political and historical realm. There are, even within the film, intimations that the war really was, from the start, "a struggle over the meaning of freedom in America" and that Lincoln was by no means saying "more than he knew" at Gettysburg when he spoke of "a new birth of freedom."

True enough, the Northern rhetoric of 1861 was concerned not with emancipation but with restoring the Union and the *status quo ante.* As Lincoln said, "We must settle this question now, whether in a free government the minority have the right to break up the government whenever they chose." But this was no mere abstract issue of legality and jurisdiction; it was about the life or death of a *free* government, the government of what was, in the parlance of the time, a "redeemer nation," an example and hope for all nations, an experiment in democracy and ordered liberty whose fate (it was widely held) would determine the course of free institutions—as James McPherson

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has written—"in a world of kings, emperors, tyrants, and theories of aristocracy. If secession were allowed to succeed, it would destroy this experiment."

In short, then, the cause of Union was never merely about Union as such, but always about a particular kind of Union, i.e., a Union—even before Lincoln uttered the words in 1863—"conceived in liberty and dedicated to the proposition that all men are created equal." If many or most white Northerners did not yet include black people within the terms of that proposition, they did at least sense that the institution of slavery was incompatible with freedom and democratic government as they understood it. If few Northern whites were abolitionists, many hated the idea of slavery and thought it a moral evil that would coarsen and brutalize the culture and polity were it to spread. To make this point is not to minimize the racial hatred and fear that pervaded North as well as South. But it did happen that the supporters of Union were in this instance the more faithful bearers of the American proposition, which, as Lincoln realized, is ultimately the only ground for universal human equality. If many Unionists failed to recognize the full implications of that proposition, they did at least follow their inchoate sense of what it meant—and they paid a terrible price for it.

During the war, of course, Northern sympathy for the slaves did grow, as did the movement, much of it church-led, to embody the principle of human equality in law. The Emancipation Proclamation and the thirteenth, fourteenth, and fifteenth amendments to the Constitution brought the Union cause into closer identity with the cause of freedom—by abolishing slavery, extending equal protection under the law to the former slaves, and establishing universal male suffrage. In one sense, the moral basis of the Union cause had clearly changed; in another sense, the moral issue did not so much change as become clarified.

Still, the hallowing of the Union cause, if we may speak in such terms, rests not on the North's very dubious virtue, but rather on the Union cause's subordination of itself to a higher cause, the one upon which Union depended. It was said (by Confederate Vice President Alexander Stephens) that Lincoln had elevated Union to a principle of religious mysticism. But in fact it was less a matter of elevating the Union than of prostrating it before the Ruler of History, as in the Second Inaugural:

> Fondly do we hope—fervently do we pray—that this mighty scourge of war may speedily pass away. Yet, if God wills that it continue, until all the wealth piled up by the bondsman's two hundred and fifty years of unrequited toil shall be sunk, and until every drop of blood drawn with the lash, shall be paid by another drawn with the sword, as was said three thousand years ago, so still it must be said, "the judgments of the Lord are true and righteous altogether."

Such a laying of a nation's destiny at God's disposal and judgment (especially judgment) has no equivalent in modern history. Though there is no question in Lincoln's speech that the greater part of right ("as God gives us to see the right") is thought to reside in the cause of Union, there is a contrite recognition that only God, and not the Northern cause, is vindicated. Out of the maelstrom of conflicting interests, all of them largely wrong and sinful, God fulfills a design that cannot be identified with the aims of any individual, party, or section: "The Almighty has His own purposes."

Lincoln's religious interpretation was in large measure drawn from the Protestant piety of the time. It takes this popular religion, purges it of its unlovely features (e.g., self-vindication and premature, facile pronouncements on God's will) and distills its best insights (an appreciation for the ambiguity of all human agencies, a humble acknowledgement of the universality of sin, and a forgiving temper—"with malice toward none; with charity for all"). Drawn *from* the people and reformulated into sublime prose, Lincoln's sentiments and ideas could be spoken only *to* a people prepared by religious training to receive them and ponder them. If the failure of Anglo-Protestant culture in America was responsible for slavery and the Civil War, the religious depth of this tradition was able to make those experiences redemptive, and to display that redemptive process to the world as a possession for the ages.

So, then, while the Civil War may have been many different things, to speak of it as being in its essence a contest between Freedom and Slavery is not to impose an artificial mythic construct on events. The story of the Civil War cannot be told faithfully or truthfully if everything is reduced, as in the "scientific" historical method, to social dynamics, practical necessities, and chance occurrences. For in a sloppy, imprecise way—perhaps the only way that history is capable of displaying meaning—the Civil War does in fact present us with a fully human story, possessing, among its diverse elements, an "inner drama" of conscience and a groping toward a higher state of life.

III

Of course, some people have denied that America's long night of the soul resulted in a new dawn for the nation. During the 1960s and 1970s, for instance, one school of historians argued that formal emancipation changed little or nothing. Laws for racial equality passed during the war and in the Reconstruction period (1865-1877) were mere expedients, quickly abandoned after having served immediate opportunistic goals. Care for the freedmen's lives and rights was

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finally handed over to white Southerners who imposed upon blacks a system of racial oppression and exploitation differing from slavery (the argument runs) only in name. If there was any revolution in the *post-bellum* period, it is sometimes added, it was the delivery of the country into the hands of Big Business, "trusts" and oligopolies, the factory system, and legislatures corrupted by monied interests.

To remove the "new birth of freedom" is to cut the heart out of the story of the Civil War, and to diminish its significance as a mythic event, instructive for the moral and spiritual health of both social and personal life. But was the new birth of freedom in fact suffocated in the crib?

Clearly, the promise of national rebirth held out at Gettysburg was not entirely fulfilled. Blacks did not achieve social and political equality as a result of the war; after Reconstruction their story is largely one of hopes dashed, promises betrayed, and dreams deferred. None of this can be denied; indeed the legacy of slavery, in our persisting racial problem, continues to this day. Yet is there not a certain obtuseness and perversity in denying real improvement because one's brightest hopes and ideals are not fulfilled? If blacks did not gain full equality, they *did* win release from the long nightmare of slavery. Indeed, some of the most moving passages in the Ken Burns' narrative are taken from the words of jubilant ex-slaves, who exulted that no longer could husbands and wives be separated from each other, babies no longer be torn from their mothers' breasts. Even if emancipation had been the sole fruit of the war, the four years of violence and destruction might still have been justified.

In fact, however, emancipation was not the only beneficial result for blacks. Their lives were improved in diverse and demonstrable ways, as pointed out by James M. McPherson, a professor of history at Princeton, in his latest book, *Abraham Lincoln and the Second American Revolution*. McPherson cites statistics showing palpable improvement in a variety of areas: literacy, education, income, land ownership, and even political influence. He concedes that "the long, tragic history of sharecropping, peonage, poverty, and lynching would seem to confirm the thesis" that "the war and Reconstruction accomplished little or nothing of genuine freedom for [the ex-] slaves." Yet McPherson argues persuasively against this thesis as a final conclusion.

> The counterrevolution overthrew the fledgling experiment in racial equality. But it did not fully restore the old order. Slavery was not reinstated. The Fourteenth and Fifteenth Amendments were not repealed. Blacks continued to own land and to go to school. The counterrevolution was not as successful as the revolution had been. The second American Revolution left a legacy of black educational and social institutions, a tradition of civil rights activism, and constitutional amendments that provided the legal framework for the second Reconstruction of the 1960s.

McPherson goes on to argue that the Civil War also created a new dimension of liberty for the nation as a whole—that the Congress and Administrations of the era initiated a gradual shifting of responsibility for protecting basic rights from the states to the federal government, and that they established early foundations for the welfare state that would be built in the twentieth century. The expansion of government power is a complicated and often ambiguous story, one beyond the scope of this essay. Suffice it to say, McPherson is correct to mark the Civil War era as a turning point in the social, economic, and political integration of America. Unattractive as it often was in the decades immediately following the war, the dynamic modern society that finally emerged would, in the next century, be prepared to play a crucial role in still larger, worldwide struggles over the meaning of human freedom.

In any case, one can see in McPherson's reflections on the period a confirmation of Shelby Foote's remark that the Civil War "defined us as what we are," that it was "the crossroads of our being." The war *defined* us as who we are in that it confirmed us, through terrible suffering, as a nation dedicated to a proposition. It was the *crossroads* in an almost literal sense, i.e., the point at which the nation might have taken another path, might have abandoned the proposition, or simply disintegrated. Because they helped to maintain the course set at the founding of the republic, the fallen soldiers eulogized in the Gettysburg Address did not die in vain. The ideals that triumphed at Gettysburg and on other battlefields were, for various reasons, imperfectly realized, and this is both a cause for regret and a reason for a measure of humility in telling our national history (particularly from the Union side). But such recognition does not negate the worth of what *was* achieved. The temporary frustration of the nation's highest ideals in no way disqualifies the fruits of that war as "a new birth of freedom."

IV

To return to the question posed at the outset of this essay: can the Civil War bear the weight of mythic interpretation, i.e., is it a story that incarnates permanent truths about life and history? Anyone familiar with the clutter and complexity of history knows how difficult it is to identify a clear story line, let alone an unambiguous lesson or moral, in events. The desire for edifying tales too often leads to false and premature constructions of meaning—again, "myth" in the pejorative sense of the word—and clearly, it is intellectually and morally corrupt to suppress or ignore inconvenient facts that threaten our neat schemes of meaning.

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Still, in the end, human beings require coherence and meaning. They cannot live, at least they cannot live *well*, if they feel that life and history are nothing but "a tale told by an idiot, full of sound and fury, signifying nothing." The fact that events leave loose ends or unresolved problems may be cause for modesty and tentativeness, but not for abdication in treating history as a realm of meaning; and for this reason the anti-mythical mode of historical narrative is not, finally, desirable or even possible. The Civil War does not provide a simple, unproblematic fable for the nursery. But, with a full appreciation for both the difficulties and responsibilities involved in telling our story, perhaps it is true, as Robert Penn Warren has put it, that "we can yet see in the Civil War an image of the powerful, painful, grinding process by which an ideal emerges out of history." FT

Money

I

It took him 20 years to reach the top,
but he made it, CEO, a winner,
just what his mom always wanted. Thinner
than his brothers, tougher, he'd never stop
until he'd earned more in a year than all
his frat mates earned together all their lives,
until his parents, brothers, and their wives
admitted he was number one. He'd call
the way he managed his affairs and dough
an eagle's way, but his essence is all
turkey buzzard, a money disposal
bird, dour, gaunt, who loves to squawk, "If you know
the currency, there's no one you can't buy,"
yet trusts no carrion's too rich to try.

II

Four years ago I won the lottery.
Each June I get a million dollar check
in the mail, stare at it awhile, and stick
it in the bank. Then all the buttery
calls start up again. I don't know how they
find my number or even remember
when the money's due, could be September
or never, I don't care. They know the day
to beg: "Ms. S., you are a generous
woman, and my husband's slowly dying
of a malignancy. It's a crying
shame we're broke," or "My legs are cancerous."
I'm too bored with my own life to say 'yes,'
and far too lucky to be in this mess.

III

He sits at his desk calling clients and
strangers, trying to sell them mutual
funds they don't want to buy, call after call,
down the gradual tilt of the day, a trained
monkey of a small town salesman, he thinks,
holding a cup for the wealthy yokels,
to spit in, might as well be. Might as well
be holding their dongs. He fears his job stinks
of misused intelligence, aggression,
persuasion by misimplication, old
women's trust bought with a smile, half-lies told
through wooden lips for the big commission
someone always pays. But it's not his fault:
It's his career, perfecting his assault.

William Buege

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Books In Review

Gimme that New Age Religion

THE COSMIC SELF: A PENETRATING LOOK AT TODAY'S NEW AGE MOVEMENTS. By TED PETERS. *HarperCollins. 221 pp. $14.95.*

Review by **Charlotte Allen**

TED PETERS is a professor at Pacific Lutheran Seminary and the Graduate Theological Union in Berkeley who seems to have made a career out of sponsoring, if not exactly endorsing, practitioners of outré spiritual movements and outré practitioners of conventional faiths. This book, written in the easy-going, middlebrow style that one associates with professors at the mainline Protestant seminaries these days, sympathetically surveys a number of late-twentieth-century American (or perhaps more properly, Californian) spiritual practices that have acquired the catchall appellation "New Age" in the media and elsewhere.

Many of these practices, which aim to get one in touch with forces within—hence, the "cosmic self"—could hardly be called religious, although Peters deems them so. Into his New Age *omnium gatherum*, he sweeps pop psychologist Abraham Maslow with his ideas about "peak experiences" and Werner Erhard, the founder of the "est" self-help movement who is now under hot pursuit by the tax man, as well as the usual cast of channelers, theosophists, holistic health freaks, crystal collectors, quantum mystos, UFO trackers, ecofeminists, and astrology buffs.

Peters also discusses would-be syncretizers of New Age and traditional beliefs, such as Father Matthew Fox, the Dominican priest in Oakland, Calif., who was silenced briefly by the Vatican after declaring there was a "mother goddess present in everybody." Although critical of Fox's less-than-orthodox version of Christianity, Peters takes the Dominican's side in this dispute, criticizing the Vatican's enforcer, Joseph Cardinal Ratzinger, for indulging in "dogmatism."

Conspicuously missing from the book are practitioners of drug-induced spirituality. In this the era of "just say no," Timothy Leary and the peyote cultists seem not to be welcome as guest speakers at Peters' popular seminars on "postmodern spirituality" at the Graduate Union. He also confines his New Age demographics strictly to the genteel and prosperous middle classes, the folks who wear Indian saris as they putter around their Marin County cluster-houses. The meatier and more lurid variants of paganism practiced by the lower classes, such as voodoo, Satanism, and Santeria, hold no interest for Peters.

HOWEVER—and amazingly for a professor at the Graduate Union, or indeed for any resident of Berkeley—Peters is actually an orthodox Christian. Towards the end of the book he professes belief in a transcendent God, the Trinity, and the Redemption and Resurrection of Christ. He also delivers a Christian critique of New Agers, taking them to task for gnosticism—denying the existence of evil—and pantheism. The "cosmic self" is a pantheistic self that regards its possessor and all else as divine. Like G. K. Chesterton before him, Peters seems to recognize that worshipping the "God within" is, in the end, merely the absurd worshipping of oneself.

Peters correctly points out that the New Age phenomenon is a natural reaction to efforts by generations of pseudo-sophisticated clergymen in mainline churches to eradicate the miraculous and the metaphysical from Christianity in order to bring it into line with a world that was supposed to be growing increasingly "enlightened" and secularized. He notes that ever since Kant, liberal Protestant theology has been "somewhat embarrassed that the Christian faith spoke so unabashedly about transcendent powers such as God's grace, angels, and resurrection of the dead." Bored and impatient with clergy who downplayed the numinous and preached empty platitudes, lay people began looking for divine grace in crystals, angels in ashrams, and the hope of resurrection (or at least reincarnation) in the works of Shirley MacLaine.

New Age spirituality has one other feature that makes it immensely appealing to moderns: Unlike Christianity, it has no Ten Commandments, no Sermon on the Mount. With only the "God within" as their moral guide, New Agers get to do exactly what they want. They have the magic and the mystery without the authority. To lure these liberated sheep back into the fold, Peters suggests that pastors be nicer to New Agers: let them visit the acupuncturist or hang crystals from their rear-view mirrors. "It is neither possible nor desirable to require pure orthodoxy or orthopraxis," he writes, and he suggests that people flee the churches because Christianity makes them miserable. "We have too long and too often driven our most faithful servants of Christ in the direction of unnecessary guilt and self-deprecation."

In fact, of course, the very opposite is more often the case. This is the era in which the response of one's father confessor to a list of transgressions is likely to be, "You're good people." Peters himself knows better. He reveals a vivid and precise notion of what sin is, recounting an event from his childhood in which, against his mother's orders, he aimed his slingshot at a fledgling robin and killed it. To this day, he writes, he still remembers the mother robin's shrieks of grief and rage as she circled overhead. This is sin: the callous human willfulness that violates the natural

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order, the willfulness that even a child can possess. It is sin, not Christianity, that makes people miserable. If Christianity is the cause of human unhappiness, our post-Christian age should be one of unparalleled bliss. In fact, depression, drug dependency, anomie, and suicide are increasing at frightening rates.

Peters professes traditional Christian beliefs but denigrates the efforts of guardians of orthodoxy—the Ratzingers and the evangelical preachers and the church fathers who shaped the creeds centuries ago—to ensure the continuation of an intact Christianity for him to believe in. Ever since the Enlightenment it has been fashionable to ridicule those who care how many natures Christ has or whether it is permissible to understand God as actually a goddess who lives inside us. But the right answer to those questions is crucial. In his book *The Orthodox Church*, Timothy Ware wrote of the early councils: "Heresies were dangerous and required condemnation, because they impaired the teaching of the New Testament, setting up a barrier between man and God, and so making it impossible for man to attain full salvation."

Just as Peters fails to see that laying down the doctrinal law is central to Christianity, he fails to see that laying down the moral law is central to religion. The truth is that the New Age is not really a religion at all. It is simply a collection of practices, some borrowed from genuine religions. As Robert Graves, who was certainly no Christian, wrote in *The White Goddess*, the essence of religion is mediation between the individual and divine. The subject of religious mediation is knowledge of the will of the gods, or of God.

When the ancient shaman went out into the wilderness with his bag of charms or his peyote buttons, his aim was not to take a trip or have a "peak experience" but to learn via visions what the gods had to say so he could convey their commands back to his people, who were expected to obey them. Thus, religion is always public and communal, and it is always moralistic. In Judaism, the paradigm of mediation is Moses descending from Mt. Sinai with the Ten Commandments written in stone by the hand of God. For Christians, Christ is the great Mediator, and when He returned to his Father, He left his followers the Church, infused with the Holy Spirit.

Naturally, most comfort-loving New Agers would be as appalled at the prospect of actually having to live the lives of the Hindu holy men they profess to admire—lives bound by rules of chastity and poverty—as they are at having to obey some of Christ's stricter dictates in the Sermon on the Mount. That is why New Age spirituality, wholly subjective and self-indulgent, seems, finally, insipid and less than serious, just as the kind of do-your-own-thing Christianity that gets preached in most pulpits these days seems insipid and less than serious. For as St. John wrote, "And hereby we do know that we know Him, if we keep His commandments."

Suffering Humanity

Victims and Values: A History and a Theory of Suffering. By Joseph A. Amato. *Praeger. 223 pp. $14.95.*

Reviewed by **John P. Sisk**

It is not hard to imagine the common sense reaction to the news that a distinguished historian had attempted to cover the history of human suffering in a little over two hundred pages. What have humans ever thought, done, or made that is not directly or indirectly involved with suffering in one or other of its many categories? Even those moments when suffering seems to have been completely transcended are experientially defined by the preliminary suffering that was their point of departure, if not in some paradoxical way their cause. What would such a book be about if not simply the human condition, and would we not expect it to have strangled in the effort to ingest its subject?

I must report at once that in *Victims and Values: A History and a Theory of Suffering* Joseph A. Amato has turned his apparently impossible assignment into an exciting book that is multicultural and multidisciplinary in the best sense of those much-abused terms. It is a model of clarity, wit, and erudition. Without pretending to encompass its subject once and for all, it has the ability to structure creatively its readers' thinking on that subject. Professor Amato begins with the hope that he will do "what few writers currently do: join philosophy and history . . . and integrate reflections on ethics with insights drawn from intellectual history." What he produces is an anatomy of suffering the major axis of which is the irony that "battles over the value of suffering intensify in the contemporary world precisely at the same time people in ever greater numbers discard the notion that suffering is an inevitable part of human experience."

Here in his introductory and forecasting pages we are at the heart of Amato's quite Christian theory of suffering. What follows is in effect a history of theories of suffering, beginning with the ancient world. Subsequent chapters take up the relation between values and suffering in early Christian times, in the enlightened eighteenth century, in the Romantic and Victorian periods, in the Europe of both world wars, and in America. All of this material provides a rich background for a treatment of the political, social, moral, and personal consequences of attitudes toward suffering in the contemporary world. A splendid bibliographical essay supplies a proper postscript. The documentation is detailed throughout and is in effect a study

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guide for those who will be stimulated by the text to pursue further an immensely complex subject.

As his title might suggest, Amato is much concerned with that universal condition, victimization. In a thematic introductory sentence, he states that "the claim to the exclusive status of being an owed victim constitutes one of the great moral nihilisms of this century." In elaborating this view, Amato offers perceptive treatments of such contemporary phenomena as the counterculture, affirmative action, the escalating reactions to the chauvinisms of race, class, and sex, and the continuing threat of the Nietzschean denigration of the past. We are living with a "victim language" that characteristically predicates a Manichean worldview, and that allows its users "a dramatic and superior moral posture, serving their desire for power." And just as ascetics and Romantic poets were in the past reluctant to let their suffering go (it paid off in spiritual or aesthetic currency), so many contemporary victims have learned not to let their victimization go (having gained self-definition from it, a victimless condition becomes unthinkable). Indeed, the modern awareness of so much victimization imposes such a burden of sympathy and responsibility on the less victimized that they have learned to depend on the media to make the burden more tolerable by turning it into entertainment.

THE late-eighteenth-century utilitarian Jeremy Bentham (we find him everywhere in the book) had a better way of alleviating suffering. Believing with the Greek philosopher Epicurus that all human experience and values could be reduced to pleasure and pain and treated as homogeneous and quantifiable, Bentham "sought to make himself the Newton of societal reforms." Coleridge, for whom suffering and insight were as inseparable as civilization and its discontents were for Freud, abhorred utilitarianism. There was no room for the urgings of poetry or religion in Bentham's passionless life; his pleasure/pain calculus looks forward to the triumph of Philip Rieff's Therapeutic Man, as well as to all those psychologists who, in Amato's conclusion, "reduce all suffering to calculable pain and attribute only negative meaning to it."

Such people, defining suffering by the pleasure that it is not, are at least implicitly utopian. For them, as Amato says, "the measure of justice has been replaced by the ideal of happiness." Indeed, he sees the modern sensibility as increasingly invaded by the utopian impulse and the victim of a paradoxical increase rather than reduction of suffering. He would agree with a remark made by that nonutopian, Franz Kafka:

> You can hold back from the suffering of the world, you have permission to do so and it is in accordance with your nature, but perhaps this very holding back is the one suffering you could have avoided.

Coleridge would have agreed with this and so would the Shakespeare who wrote *King Lear,* but for Epicurus and Bentham, it is high heresy. For the latter two the absence of suffering is the surest protection against the painful truths that the "unaccommodated" Lear discovers on the stormy heath. For Amato and Kafka our utopian impulse is an attempt to escape from the freedom that can never be separated from the sweat, turmoil, and sacrifice of the human condition.

It is in this freedom that we tell the stories we must tell if we are to identify ourselves as human and "join ourselves to communities." Eugen Weber in his Foreword thinks it especially appropriate that the book ends "with a paean in praise of stories." To Amato the enemies of the stories we need are those who cannot believe that "suffering is not only a necessity and a test, but it is also—especially when concentrated on sacrifice—our risk for the good." These enemies have never given up hope on Bentham's calculus. They aspire to a condition beyond mere story where the good is never at risk. In a world that continues perversely to frustrate their aspirations, they are often honored with the sympathy reserved for suffering idealists.

Shooting for Moon

INQUISITION: THE PERSECUTION AND PROSECUTION OF THE REVEREND SUN MYUNG MOON. By CARLTON SHERWOOD. *Regnery Gateway. 705 pp. $29.95.*

Reviewed by **Dean M. Kelley**

CARLTON SHERWOOD is a Pulitzer Prize-winning investigative reporter who has done a number of exposés of corrupt religious leaders in recent years. He found what he thought was a likely target for another such expose: Sun Myung Moon and his immensely unpopular Unification Church. The more he investigated, however, the more convinced he became that the big story was not Moon, but what the United States government had done to "get" Moon and put him behind bars. Although Moon and his accountant, Takeru Kamiyama, have been tried and convicted and have served their terms in prison, the story is still worth telling and reading, perhaps more so now that it is past history and the principals have gone on to other things.

There is some new information in the story that casts an even more unlovely light on the government's tactics. Sherwood has obtained two damning documents that were not available to the public during Moon's trials and appeals. One is the sealed transcript of a post-trial hearing precipitated by a tape of one juror's comments to a friend that indicated the jury (particularly the forewoman) had been tainted

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by prejudice, and that several jurors had been pressured into voting for conviction, which they later regretted. The trial judge reluctantly held a closed hearing to investigate this allegation, but the prosecution—with the judge's ready acquiescence—succeeded so well in cowing the dubious jurors that they completely clammed up and refused to admit to the judge what they had admitted to each other.

The other document is equally revealing; it is a meticulous 400-page report by an expert Japanese translator itemizing over 600 errors in translation of Kamiyama's testimony before the grand jury, seventy-five of them material to the charges of perjury on which Kamiyama was tried and convicted and which formed the basis for the prosecution of Moon. The report was prepared at the request of the U.S. prosecutor to determine whether the evidentiary basis for the indictment was sound. Though the report showed clearly that it was not, the prosecutor buried the report in the Justice Department, despite his legal obligation to turn over exculpatory evidence to the defense. There it lay hidden for two years despite repeated efforts by the defense to obtain it under the Freedom of Information Act. Only after a court ordered the Justice Department to release it did it become available—after Moon and Kamiyama had already served their sentences.

Sherwood further discovered through casual conversation with friends at the Justice Department that the top lawyers in the Criminal Tax Division had repeatedly insisted that the government had no case against Moon. But the U.S. Attorney's office in New York had gone ahead and brought the case to trial anyway, and managed to obtain a conviction. How the New York office brought that off is the burden of much of Sherwood's story, and it is not pleasant reading, even if one has no use for Moon—which of course is not the issue. The issue is whether a religious leader can be victimized by the government and the laws of the United States and sent to prison for acts that have no criminal intent and that are not considered improper, let alone criminal, when done by leaders of more "respectable" faiths.

The author recounts the details of the struggle in almost mind-numbing detail, but there is no other way to gain a sense of the particulars and the texture of the trial. Sherwood shows, for example, that in point after point, the judge upheld the prosecution's concept of the case: that Moon was not on trial for his religion or its beliefs and sacred practices but solely for his handling of money and nonpayment of taxes. He was going to be treated just like any high-ranking businessman without regard to his religion—except that the prosecution used his religion and his position in it against him at every opportunity. When the veracity of defense witnesses was at issue, the prosecution sought to discredit them by asking if they would not be willing to do whatever the leader of their faith required of them, including perjury. Suddenly Moon was not just a businessman but the anointed guru entitled to unquestioning obedience.

But when the defense tried to point out Moon's religious role and authority as the explanation for why he had control of the funds in dispute and how he had used them, the prosecution objected that religion was irrelevant, and the court agreed. So it was "heads, the prosecution wins; tails, the defense loses." The heart of the case against Moon was that he had "dominion and control" over three bank accounts held in his own name at the Chase Manhattan Bank totaling $1.5 million that earned interest on which he had failed to pay $100,000 in taxes, a fact the defense had readily admitted. The prosecution made much of the fact that most of the money in the account came in in cash, which the defense had also admitted, since that is a common mode of doing business in the Orient.

The prosecution's crowning exhibit was the "family ledger" submitted by the defense to show where the money came from. An expert witness for the prosecution testified that those documents were written on paper whose watermark showed that it had been manufactured after the date of the events recorded. That was the main evidence of criminal intent, and it too was not only conceded by the defense but had never been represented otherwise. The family ledger was always presented as a post facto effort to reconstruct from myriad bits of paper what had happened when church members from Japan and Korea had come to the U.S. bringing with them contributions—yes, in cash—for the advancement of the church and had turned them over to Moon because he, as founder of the church, knew best what should be done to advance its mission. The amount of the donations was (usually) scribbled in Japanese or Korean on a slip of paper. When the Unification Church became stable enough to employ Caplin & Drysdale, a firm of auditors, they threw up their hands at the stack of chits, and so church members (who were usually not accountants or familiar with American accounting) tried to sort out the scraps of paper and make sense of them for the auditors. The result was the family ledger that the prosecution insisted was a clumsy effort to deceive the Internal Revenue Service.

The prosecution spent days introducing reams of evidence to prove these (supposed) elements of the case, and the jurors' eyes grew glassy from surfeit of detail. The defense contended that the money in question was not Moon's but the church's, that he was acting merely as a trustee for the church and therefore owed no taxes on that money. Of course he had "dominion and control" over the funds, as any trustee does. And he had used some of the money—a very small amount—for his own expenses, as trustees are entitled to do. (Furthermore, he had paid income tax on

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the amounts used for personal purposes.) He had held the money in his own name, as trustees often do, and made no attempt to conceal it. The prosecution simply rejected this explanation by reiterating its insistence that Moon used the money any way he wished, including investing it in various businesses, and that could hardly be considered religious. (Of course, other churches have been known to invest their surplus funds in businesses, but that seems not to have been considered.)

IN THE END it was left up to the jury in its infinite wisdom to determine whether the money was Moon's or the church's, and whether he had used it for "religious" purposes. The judge's instructions to the jury left those questions largely open-ended, despite the fact that the law of New York contains a presumption (going back to the time of Henry VIII) that money given to a religious leader without stipulation is for religious purposes and constitutes an ecclesiastical trust. The government insisted that there was no trust instrument, no written document, evidencing such a trust, but that is exactly what a presumption is: it requires no written trust instrument to come into effect. It is what prevails if there is no written evidence to the contrary. Under that rule, the money was not Moon's personal money unless there had been a statement of intent from each donor that the contribution was for Moon personally—the exact opposite of what the prosecution contended and the judge accepted as the law of the case.

Not surprisingly, the jury voted for conviction of both defendants on all counts, taking an extra day to do so in order that it would appear that they had deliberated longer than they actually did. The defense appealed, but the Second Circuit Court of Appeals ruled against Moon two-to-one. The church hired Laurence Tribe of the Harvard Law School, one of the country's leading constitutional lawyers, to handle the appeal to the Supreme Court, and he elicited forty-one amicus briefs supporting Moon's contentions from respected organizations such as the National Council of Churches, the American Civil Liberties Union, the Southern Christian Leadership Conference, the Freemen Institute, from individuals such as the Reverend Jerry Falwell, former Senator Eugene McCarthy, Clare Booth Luce, Senator Orrin Hatch, and from the states of Hawaii, Oregon, and Rhode Island. But the Supreme Court declined to hear the case, and so Moon and Kamiyama eventually went to Danbury prison for thirteen and four months, respectively. It is ironic that Moon was out of the country when he was indicted, but returned to stand trial. He could have left the country at any time up until he entered prison and, as a foreign national, could not have been extradited; he did in fact leave the country several times during his juridical travail, but each time returned, hardly a sign of guilt.

WHAT DIFFERENCE does it all make? Moon is back leading his church, little the worse for wear, at least in the view of those who didn't have to go through what he went through, and compared to Hungnam, where the Communists imprisoned him between 1948 and 1950, it wasn't so bad. Moon was reported by a fellow inmate at Danbury to have said, "I have been in Korean prison. That is prison, this is country club." Still, it is a stain on his record, one that will always be thrown up to him by his critics. And it is a gross miscarriage of justice. He was sent to prison for a crime he did not commit. He was given funds for the upbuilding of his church and he used them for that as he thought best, openly and without criminal intent. They were church funds, and no one in the church was complaining about how he used them. But the United States government, in response to concerted complaints from outsiders, declared that money to be Moon's personal property, for him and his heirs forever, thus taking it away from the church for which it was intended, and sent him to prison for not paying taxes on the interest income from it.

Sherwood is uniquely situated to tell this sordid tale, and he points out the bizarre contrasts between Moon's plight and the subjects of his earlier exposés, which included Boys Town, the Salvatorian Fathers, the Pallotine Fathers, the Pauline Fathers (for which series he won a Pulitzer Prize, and the Gannet newspapers, his employer, was the first news service to receive the Pulitzer Gold Medal), and Cardinal Cody. Although the defalcations occurring in those instances ran into the millions of dollars, and many people's savings were lost, no clerics went to jail and few suffered any lasting disabilities in their ecclesiastical careers. Sherwood finds it sadly ironic that the really fraudulent and criminal misdeeds of mainline religious leaders evoked little interest from federal agencies, but Moon became the target of a concerted attack from several of them, one of which finally succeeded in putting him away (for a while, at least) and sullying his name for a much longer time. But, thanks to this book, it may eventually become apparent that the stigma is undeserved, or at least unproven under any true canons of evenhanded justice.

Trinitarian Morality?

TRANSFORMED JUDGMENT: TOWARD A TRINITARIAN ACCOUNT OF THE MORAL LIFE. By L. GREGORY JONES. *University of Notre Dame Press. 189 pp. $22.95.*

Reviewed by **Leslie E. Gerber**

THE TRADITIONS Gregory Jones explores in *Transformed Judgment* are grand ones: Aristotelian virtue-centered moral philosophy; Thom-

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ism, especially as it elucidates the relation between the sacraments and friendship with God; Trinitarian thought; Wittgenstein's philosophy of language. One suspects that his remarkable facility for such explorations grows out of his involvement in certain "lesser" traditions. Jones' father, S. Jameson Jones (to whose memory the book is dedicated), was the renowned editor of *motive* magazine and a former Dean of the Divinity School at Duke University, where the younger Jones studied as a graduate student under such mentors as Stanley Hauerwas, Geoffrey Wainwright, and Kenneth Surin. Though strongly independent in thought and style, Jones' work reverberates with the themes and preoccupations of the distinctive Duke conversation about theology, church, and ethics. Since joining the faculty at Loyola College in Baltimore, Jones has established himself as a major new theological voice.

The problem he begins with is one that has recently exercised the columnist William Raspberry. "What is the difference," asks Raspberry, "between the phrase 'female-headed family' and 'fatherless family'?" He answers that the latter carries a vastly different moral meaning, because the particular kind of struggle faced by the women is identified. It also (correctly, for Raspberry) suggests that such a family is in a deficient, non-normative condition. Separatist feminists will object, however, arguing that "female-headed" families should be celebrated. To them, "father-free" households offer a liberating, entirely normative option. A Census Bureau sociologist, for his part, might offer a more "value-neutral" description. Greg Jones' first section, "Learning to Describe Actions, Persons, and the World: Social Contexts and Moral Judgments," helps us understand what (and how very much) is at stake in this and other disputes over descriptive labels.

Following Julius Kovesi and Alasdair MacIntyre, Jones argues that when we *describe*, we do so as active agents whose intentions and moral character pervade our descriptions. Because we operate with words, our descriptions rely on the social histories that endow words with meanings. Ultimately, descriptions express our particular linguistic communities and their complex traditions of moral education. Thus, no realm of secure "facts" awaits discovery and "appraisal" by value-imposing observers. Rather, our linguistically formed intentions convey an already-valued world. In Jones' words, "An agent's description of her actions, if they are to be intelligible, will be situated in the context of her beliefs—beliefs drawn from the social contexts in which she lives and the traditions of which she is a part." Since there are no tradition-free descriptions, the "neutral" sociologist in the example is also operating from a tradition, most likely positivism.

Accounts of the moral life thus require attention to traditions of moral formation that teach the agent to envision and describe the world. Such traditions spring from powerful narratives that impart intelligibility to action. Was Yukio Mishima's famous self-inflicted death a "suicide"? William F. May points out that the prohibition against suicide in the West developed from a prior piety towards nature that meant "respect for the natural impulse of self-preservation." In Jones' terms, "suicide" takes its meaning from a tradition-engendering narrative. Provided that Mishima understood his action in the traditional Buddhist way—"as a preservation of honor in the face of imminent defeat and done in accordance with Buddhist scriptures"—the notion of suicide is simply inapplicable.

Reacting against what he sees as MacIntyre's too free-floating conception of tradition in *Whose Justice? Which Rationality?*, Jones insists that traditions reside in particular historical and social settings. *Living* traditions are what therefore interest him, especially as these are embodied in "particular patterns of friendship, practices, and beliefs." Conversation, critical argument, ritual behavior, interpretation and cultivation of the virtues, "an ongoing process of helping people learn to act, feel, and think well," the formation of a specific moral character—these ingredients make up Jones' concept of a tradition.

Theological claims (even when they are anti-theological) decisively shape all significant traditions, Jones asserts. He would thus reject the suggestion that particular memberships—e.g., Mormon, Ethical Culture, Catholic—don't matter so long as "good moral values" are taught. Indeed, the final two sections of the book try to show how "belief in the Triune God" produces particular sorts of persons, capable of giving practical utterance to the "most truthful and coherent account of the moral life and moral judgment." Jones does not defend this claim about Christianity's truth but rather spells out its communal and theological expression.

Jones thus offers extended accounts of how baptism, eucharist, forgiveness, and scriptural interpretation serve to shape the character and moral judgment of Christians. His guiding motif is that of God's befriending humanity in the person of Jesus Christ: "I argue that the friendship and practices involved in becoming a 'friend of God' entail a (re)shaping of people so that they are enabled to perceive themselves and the world more accurately and are enabled to live more virtuously." Baptism is seen as the means by which members are "entered into the narrative of the Christian tradition." In eucharist, Christians "gather at the table in responsive friendship with God [and] extend that friendship by befriending others." Scripture interrogates Christians' lives; they are "formed *in* the kinds of moral judgment necessary for them to live

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faithfully as friends of God."

Throughout this very "high Methodist" discussion of such practices, Jones is at pains to display their Trinitarian character. Baptism, he notes, is done in the name of "Father, Son, and Holy Spirit." Eucharist always ends with an invocation of the Trinity, as in "To him, to you, and the Holy Spirit be honor and glory, now and forever." Whereas many Christians treat such prayers as mere formularies, Jones urges that in these and other practices Christian communities "receive their shape, their patterns of formation and transformation, and their processes of discernment."

ALL GOOD books leave the reader with questions, and *Transformed Judgment* is no exception. Jones skillfully elucidates the Trinitarian and ecclesial sources of Christian moral formation. But how does this result in *distinctive* moral perceptions and judgments? Jones hints that living in the mystery of the Triune God engenders an ability to tolerate complexity, a taste for "polyphonic dialogue," critical reflective thought, and a willingness to submit one's judgments to the fellowship of believers. "The perichoretic dance of discipleship"—Jones overuses this image from Nicholas Lash—involves living precariously in the tensions between Church and World.

But given his insistence on Christian particularity, is this substantial enough? Much more in the way of application is needed, something Jones himself recognizes when he states in his introduction that "I do not display here the substantive difference a Trinitarian perspective brings to various issues and often vexing problems." That the book delivered too well on this promise is regrettable, though hardly catastrophic. Given the auspiciousness of this beginning, we have every reason to expect more fully realized works from Jones in the future.

New Hope for the Family?

REBUILDING THE NEST: A NEW COMMITMENT TO THE AMERICAN FAMILY. Edited by DAVID BLANKENHORN, STEVEN BAYME, and JEAN BETHKE ELSHTAIN. *Family Service America. 261 pp. $16.95 paper.*

***Reviewed by* Norval Glenn**

THIS relatively slim volume is one of the most important books about the American family to be published in recent years, and it is arguably the most significant of the several recent anthologies on family change and family policy in this country. Its significance grows not only out of the high quality of the papers it brings together but also out of the fact that its publication reflects a major development in elite academic and intellectual thinking about the American family—the growing advocacy by well-respected academicians and intellectuals of alternatives to the liberal-progressive-individualistic views that have dominated elite thinking on the subject for several decades.

The product of a conference on "What Families Do" held at Stanford University late in 1989, this collection consists of fourteen papers—all but one by conference participants—and a concluding chapter in which each of the three editors reflects briefly on the issues addressed by the papers. The authors are mainly academicians, with specialities in such fields as sociology, psychology, economics, law, religion, and political science, and they include some of the most prominent authorities on the American family. In general, they address what has happened to the family, why those changes have occurred, what the consequences have been, and, to the extent that the consequences have been negative, what can be done about them. Several of the authors deal with more than one of these questions, but the papers are organized into three sections, titled "Conditions: Is the Family in Decline?"; "Causes: What Are American Family Values?"; and "Solutions: What is the Family Agenda for the 1990s?"

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In his brief introduction, David Blankenhorn states that one of the book's objectives is getting debate about the family away from "sterile political polarizations," such as left versus right. The goal, he emphasizes, is new thinking that cuts across both political labels and academic specializations. In this respect, the book is largely successful, at least to the extent that most of the rather diverse views expressed in it do not fit neatly into any of the traditional political and ideological categories—certainly not into the extreme ones. Only one of the authors, Dennis Orthner, seems to represent the "progressive" view that until recently dominated discussion about the family, and his progressivism is not extreme. Several of the authors agree with social conservatives on some issues, but most if not all of them disagree with the conservatives on some important issues, such as the desirability of trying to reconstitute traditional gender roles and trying to return to the family form that existed during some "golden age" of the past.

IN THE FIRST paper, titled "American Family Dilemmas," David Blankenhorn succinctly delineates the major dimensions of disagreement in current debates about the family. Perhaps the most important of those dimensions, and the one Blankenhorn emphasizes, is optimism versus pessimism. He uses Congresswoman Pat Schroeder and her book *Champion of the Great American Family* to exemplify the optimistic position, the one held by most family social scientists and psychologists until recently. According to that position, the American family is at least as strong and viable today as it was during most of its history, and recent changes should be viewed as adaptive rather than as indications of decline and decay. For instance, according to

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this optimistic view, the current high divorce rate reflects primarily a process by which poor marriages are replaced by better ones and the institution of marriage is kept healthy and viable. Pessimists, in contrast, maintain that when recent changes in the American family are assessed from the perspective of commonly held values, many though not all of those changes must be evaluated negatively.

Blankenhorn fairly represents both sides of this debate, but his sympathies clearly lie with the pessimists, as when, for instance, he cites evidence on the deinstitutionalization of marriage and refers to our culture's "conspicuous tilt away from children's needs." Most of the other authors share Blankenhorn's pessimism. For instance, David Popenoe, author of the influential book *Disturbing the Nest*, recites evidence that, measured by a number of objective criteria, the prominence and influence of the family have declined substantially in American society. Urie Bronfenbrenner, the noted child development expert, writes that "the more we learn about the conditions that undergird and foster the development of human competence and character, the more we see these same conditions being eroded and destroyed in contemporary societies." Victor Fuchs, an eminent economist, cites evidence that Americans' "investments" in children, especially in terms of adult time and attention, may have declined substantially in recent years. Robert Bellah, the senior author of *Habits of the Heart*, argues that the money economy has invaded the family, to the great detriment of the latter. Developmental psychologists Edward Zigler and Elizabeth Gilman describe four systems of influence essential to healthy human development and then report on social indicators relating to each system. In their words, "The news is very bad, and it is worsening daily. . . . In the past 30 years of monitoring the indicators of child well-being, never have the indicators looked so negative across all four systems."

In the one paper not written by participants in the Stanford conference, pollsters Mark Mellman, Edward Lazarus, and Allan Rivlin report data from a 1989 survey on family values in America sponsored by the Massachusetts Mutual Life Insurance Company. That survey, along with several other recent ones, indicates that, whatever the reality may be, most adults in this country think that American families as a whole are not doing very well and that matters are getting worse (although these same people generally rate their own families positively). The most commonly reported reason for the poor condition of American families is lack of time, and almost half of the Massachusetts Mutual Survey respondents admitted that they did not spend enough time with their families.

The only author represented in this volume who is clearly in the optimistic camp is sociologist Dennis Orthner, who argues (and musters supporting evidence) that Americans have not become as individualistic as some observers believe, that family commitments in our society have weakened little or not at all, and that family values remain strong. Although he does not say so, the implication of Orthner's arguments is that the concerned tone of most of the rest of this volume is unwarranted. I think he is wrong, since his optimism rests too heavily on (a) face-value interpretations of answers to survey questions without consideration of the possibility of social-desirability response bias, and (b) inferences of little or no change from data gathered at one point in time. Nevertheless, Orthner's views, and even more sanguine ones, are widely held and deserve a hearing in the current debates about the family.

Despite the book's general leaning toward pessimism, it is not fatalistic or lacking in hope. The subtitle is "A New Commitment to the American Family," and the belief that such a new commitment can be achieved is evident in most of the papers. Some of the authors have very specific ideas about what should and can be done. For instance, Zigler and Gilman call for expanded parental leave policies and Fuchs proposes larger tax credits for families with children. Other suggestions—such as Popenoe's call for a new social movement to reinvigorate the cultural ideals of family, parents, and children—are less concrete. Blankenhorn gives ten rules for improving the family debate in the 1990s, including "strive for a new consensus on 'family values,' " "analyze the family primarily through the eyes of children," and "critically evaluate today's prevailing cultural ethos of 'adult individualism.' "

How these suggestions might be implemented is not entirely clear, and of course this book is only a first step toward formulation of the family agenda for the 1990s. But it is a substantial first step—one that should give all concerned observers greater hope that there indeed can be a renewed commitment to the American family.

The Complexities of Morality

Varieties of Moral Personality. By Owen Flanagan. *Harvard University Press. 336 pp. $34.95.*

Reviewed by **Paul C. Vitz**

In this challenging book, Owen Flanagan addresses a number of important and neglected connections between ethics and psychology. He begins with the suggestion that it is time for philosophers of the moral life to take "a cold, hard look at what is known about human nature." Psychological knowledge, he argues, introduces a kind of realism that undermines over-rationalistic philosophies of ethics and also raises questions concerning certain philosophical theories of virtue.

It is difficult, however, to summarize Flanagan's answers to the question of how psychological realism is to be introduced into moral philosophy, in part because these topics are themselves complex and in part because of the nature of Flanagan's

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treatment. For example, the author makes much of what he calls his Principle of Minimal Psychological Realism (PMPR):

> Make sure when constructing a moral theory or projecting a moral ideal that the character, decision processing, and behavior prescribed are possible, or are perceived to be possible, for creatures like us.

Flanagan spends considerable time defending the validity of this principle, but one wonders if the effort is worth it. It seems such a minimum as to be at best minimally useful. Has any moral teacher ever conceded that his moral ideal was "perceived" as impossible for everyone? And, from another perspective, Christianity could be said to violate this principle deliberately on theological grounds: Christians are told to be "perfect as your Father in heaven is perfect," but they are also told that no one is perfect, indeed that, on our own, we cannot be truly virtuous.

By far the most significant part of the book are the five chapters on moral psychology. Flanagan gives a good summary and critique of the moral philosophy of the Swiss psychologist Jean Piaget. He notes its Kantian roots and describes in some specificity its cognitive character, in particular Piaget's assumption that all morality consists in a system of rules. In his critique, Flanagan effectively exposes the dubiousness of exclusively rule-based morality.

THE LIMITATIONS of such Enlightenment-based psychological assumptions are most clearly brought out in the chapters focused on the moral psychology of Lawrence Kohlberg. Kohlberg's elaborate scheme of stages of moral development, in many respects derived from Piaget, was especially influential from the 1960s through the early 1980s. Flanagan's discussion of Kohlberg (and of Carol Gilligan's critique of Kohlberg) is a major contribution. The author carefully dissects the different rational assumptions and arguments behind Kohlberg's position and goes on to identify in detail the system's various limits and contradictions. Indeed, by the time Flanagan is through, one can hardly imagine how anyone can remain a Kohlbergian. Certainly Kohlberg made contributions to moral psychology, but the phenomenal enthusiasm that developed for his system remains a mystery. (I suspect it was something of a mystery to Kohlberg as well.)

Flanagan offers, to begin with, a "seasquirt" critique of Kohlberg's assumption that a later developmental stage necessarily represents a higher level of functioning. Seasquirts are creatures that in their larval stage have a rudimentary brain that allows them to swim and to identify an appropriate place to which to attach themselves. Once a seasquirt locates such a spot, it puts its head down, attaches itself, and proceeds to absorb its own brain. Thus, "cognitively speaking, grown-up seasquirts are considerably more primitive than their offspring." We all have met human seasquirts: people who as adults are less cognitively and morally sensitive and developed than they were as children. The seasquirt analogy brings into question more than Kohlberg's assumption of moral progress through time. It also affects his claim that there is no possibility for a person who has reached a higher stage to regress to a lower stage. Indeed, Kohlberg appears to have accepted, on the basis of empirical evidence, the possibility of stage-regression.

Flanagan identifies many other weaknesses with Kohlberg's stages, and the cumulative weight of his argument supports his summary judgment:

> Once we pay attention to the multifarious content of moral issues and think of the various cognitive and affective dispositions required to meet them, it seems simply unbelievable that there could be a single ideal moral competence and a universal and irreversible sequence of stages according to which moral personality unfolds and against which moral maturity can be unequivocally plotted.

Flanagan is also persuasive on the recent Kohlberg-related work of Carol Gilligan on presumed gender differences in moral thinking. Although Flanagan agrees that Gilligan's work undermines the Kohlbergian system, he does not accept most of Gilligan's own proposals, for both empirical and theoretical reasons.

Gilligan initially claimed that Kohlberg's understanding of morality, with its focus on justice in a rule-based system, was predominantly male in character. Her work suggested that women's moral thinking, by contrast, was focused on interpersonal relationships and expressed an ethic of caring. These two moralities, if you will, justice vs. caring, were, according to Gilligan, reliably associated, the former with men and the latter with women. And whichever mentality characterized a person was stable and resistant to change: thus individuals were either "just" or "caring," rarely a combination of both. Flanagan does not deny that there may be reliable but probably modest underlying differences in the use of these two paradigms, nor does he deny that male and female understandings of the self have significant differences between them. But he draws attention to recent research that demonstrates, apparently even to Gilligan's satisfaction, that both men and women can use either mode, and that even those who prefer one are commonly able to use the other mode of moral judgment as well.

IN THE FINAL section of the book, Flanagan takes up issues of the stability of moral character, the influence of the social environment on morality, and the possible well-being that the virtuous life might bring. Here the author's underlying theme becomes clear. In the final analysis, Flanagan argues, there is no single ideal moral character.

> It strikes me as an utterly liberating thought that we abandon the idea of a single ideal

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> type of moral personality. As fictions go, this is an especially constraining and damaging one. It keeps us from appreciating the rich diversity of persons that everywhere abounds and it seeds the ground for intolerance, disrespect,. and overconfidence in one's own life form.

The psychology that Flanagan deals with, he deals with well. But his book suffers from some significant omissions. For example, the writings of Robert Coles, particularly relevant in the context of a critique of Kohlberg, are noticeable by their absence. Flanagan also overlooks the important research and theorizing on moral psychology by Martin Hoffman, with its focus on empathy—something equally relevant to many of the topics addressed in this volume. Finally, he omits or scants studies that suggest the existence of stable moral virtues and moral character, perhaps because such studies do not fit well with his antipathy toward the idea of an ideal moral character.

Unfortunately, all that Flanagan appears to have to put in the place of any single ideal is a kind of personal moral relativism. Flanagan expresses in his Epilogue a distinct enthusiasm for human self-creation in the moral realm, freed from any serious restrictions. As he puts it, "Our ends are not specified either by God or by our essence as *homo sapiens*." He seems to look forward to the withering away both of any fixed notion of human nature and of religion—at least in its Judeo-Christian form. Fortunately, Flanagan's unsatisfactory Epilogue (like the equally unsatisfactory Prologue) is not an integral part of the book—and the faults of these two unreasoned bookends do not undermine the contributions of the main text.

BRIEFLY NOTED

FAITH AND PHILANTHROPY IN AMERICA: EXPLORING THE ROLE OF RELIGION IN AMERICA'S VOLUNTARY SECTOR. Edited by ROBERT WUTHNOW. *Jossey-Bass. 327 pp. $29.95.*

More than $100 billion is given to "charities" each year in the U.S., and more than half of that giving is associated with religion. Another critical factor is that those who give to secular causes of a humanitarian nature are also those who give to religion (except for environment and the arts, which seem to be mainly supported by people who are not religiously committed). The gravamen of this important study is that the philanthropic world, including most of the big foundations, is making a big mistake in overlooking, as it typically does, the role of religion in philanthropy. If the religious roots are not nurtured, the authors contend, the American tradition of philanthropy could dry up in the next century.

THE RIGHTS OF RELIGIOUS PERSONS IN PUBLIC EDUCATION. By JOHN W. WHITEHEAD. *Crossway Books. 329 pp. $12.95 paper.*

What sorts of religious symbols can be displayed in public schools? What religious views can be expressed and under what conditions? What rights do religious student groups have in gaining access to public school facilities? These questions and many others are taken up here, with extensive citing of legal precedents and arguments. Written from a conservative evangelical standpoint by the president of The Rutherford Institute, a legal foundation opposed to strict-separationist public policies. A valuable source book.

THE PRAGMATIC GOD: ON THE NIHILISM OF REINHOLD NIEBUHR. By HARRY AUSMUS. *Peter Lang. 308 pp. $57.95.*

Reinhold Niebuhr, generally seen as a pillar of Protestant neo-orthodoxy in religion and "Christian realism" in politics, is here condemned for covert nihilism and "blatant anti-intellectualism." The argument in this book is so strange, incoherent, and misdirected that it achieves little in correcting or clarifying Niebuhr's thought. Despite occasional insights concerning his ostensible subject, Ausmus recognizes that his book really "is not about a person," but rather about "the problem of nihilism." Put another way, it uses Niebuhr as a foil for the author to work out his own Schopenhauerian pessimism. With its super-high price and low payoff, this book will probably be limited to the small readership it deserves.

DICTIONARY OF THE ECUMENICAL MOVEMENT. Edited by NICHOLAS LOSSKY, et al. *Eerdmans/World Council of Churches. 1196 pp. $79.95.*

"An astonishingly thorough and eminently useful reference book. . . . I cannot imagine that anyone who has to deal with relations between the churches could do without this work." That is what Jaroslav Pelikan, the eminent church historian at Yale, says. As usual, we find no reason to disagree with him.

PURSUIT OF TRUTH. By W. V. QUINE. *Harvard University Press.* 113 pp. $17.50.

One of the most acclaimed philosophers of our age offers a postscript to earlier reflections on what we can know for sure. As readers of Quine would expect, the answer is, Not much. But arriving at that answer is a fine mind-twisting that provides good clean intellectual exercise with minimal risk of permanent damage.

HISTORY, RELIGION, AND ANTISEMITISM. By GAVIN I. LANGMUIR. *University of California Press. 379 pp. $37.50.*

A professor of history at Stanford begins from the premise that religion, and Christianity in particular, is hopelessly irrational. If one believes that Jesus performed miracles and is actually present now in eucharistic bread and wine, it is only a short step to believing that "the Jew" is the incarnation of evil. It appears that the chief difference between

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Christians and Nazis is that the former are "psychocentric" while the latter are "physiocentric." If only people would start thinking clearly, the madness of religion could be held at bay. Published, remarkably enough, by a reputable university press.

POLITICAL SERMONS OF THE AMERICAN FOUNDING ERA. Edited by ELLIS SANDOZ. *Liberty Press. 1596 pp. $29.95.*

Sermons preached, mainly in the Congregational tradition, from 1730 to 1805 bring vibrantly to life the historical connection between religion and political freedom in America. This book is a salutary antidote to the secularized reconstructions of American history that tend to dominate in our educational systems.

THE TURBULENT TRIANGLE: CHRISTIANS, JEWS, ISRAEL. By ISAAC ROTTENBERG. *Red Mountain (Box 2113, Hawley, PA 18428). 212 pp. $8.95 paper.*

This book should be of great interest to those concerned about Jewish-Christian relations and how they influence attitudes toward Israel. Rottenberg worked for years with the National Council of Churches and other ecumenical agencies, and makes important contributions to our understanding of why mainline/oldline Protestantism turned so virulently toward a pro-Third World and anti-Israel position.

THE LITIGATION EXPLOSION: WHAT HAPPENED WHEN AMERICA UNLEASHED THE LAWSUIT. By WALTER K. OLSON. *Dutton. 388 pp. $24.95.*

A powerful indictment of a legal system that, originally designed to protect the rights of citizens, has been turned into an instrument of despotism. Vaguely worded legislation and sloppy rules of evidence play into the hands of whoever is willing to work with unprincipled lawyers in ruining the lives of others. A moral tract for the times that is deserving of wide attention. The author is senior fellow at the Manhattan Institute.

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Richard John Neuhaus

The Public Square

A Continuing Survey of Religion and Public Life

Reviving the Missionary Mandate

The editorial in our May 1991 issue was titled "Christian Mission and the Third Millennium." It described the complicated connections between the Christian missionary enterprise and the future of an essentially Western civilization that is, in however ambiguous a manner, a product of the "Christian West." The assumption of the editorial was that Christianity always has been and will continue to be inherently missionary in character. As several readers have pointed out, that cannot be assumed lightly.

In various Christian communities today, from evangelical Protestant to Roman Catholic, there is a lively debate about "universalism." Universalism teaches that, in one way or another, all human beings will be eternally saved. If that is the case, it would seem to undercut any great sense of urgency about *missio ad gentes*—bringing the gospel to the nations that do not know God's saving work in Christ. Universalism is often thought to be a liberal or modernist position, and it is vigorously opposed by "conservatives" who, their critics say, seem to relish the prospect of watching multitudes burn eternally in hell. Such conservatives deny the charge, pointing to their earnestness in pursuing the missionary mandate precisely in order to rescue others from that doleful destiny.

In fact, universalism in one form or another has been a perennial in two thousand years of Christian history. The early fathers had a Greek name for the doctrine, *apocatastasis*, and by it they meant that ultimately all moral creatures—angels, men, and devils—would share in the grace of salvation. The doctrine is to be found in Clement of Alexandria, in Origen, and in St. Gregory of Nyssa. It was strongly attacked by St. Augustine, and this aspect of "Origenism" was condemned by the Council of Constantinople in 543. Nonetheless, universalism persists in the modern era, being defended by certain Anabaptists and Moravians, and by theologians in the tradition of Friedrich Schleiermacher.

What might be called a modified version of universalism—that all men have at least the *possibility* of being saved, whether or not they have heard the gospel—is the official teaching of the Roman Catholic Church today, and is probably embraced by most Protestant thinkers. These Christians insist, *inter alia*, that it is contrary to a biblical understanding of the justice of God that billions of human beings should be eternally damned through no fault of their own. And that brings us to the question of the motives for mission. If the missionary enterprise is not driven by the imperative of rescuing souls from everlasting perdition, the urgency of the thing would seem to be considerably relaxed.

Countering Confusions

That is among the issues addressed by Pope John Paul II in the 26,000 words of his eighth encyclical, *Redemptoris Missio* (Mission of the Redeemer), issued this past January. The Pope believes that many Catholics are confused about the reason for missions, and that confusion has everything to do with the marked decline in devotion to the missionary effort. Since Catholics are not the only ones confused on this point, it may be that the encyclical can be an ecumenical "teaching moment" that contributes to a broader understanding of Christian mission and the third millennium. *Redemptoris Missio* received slight attention in the general press which, being very political, has focused more attention on the subsequent encyclical that deals with Catholic social teaching. Because it drives to the very heart of Christian faith and takes up questions so theologically controverted, however, the letter on missions is arguably the most important encyclical of John Paul's pontificate to date.

With respect to missions, John Paul writes in *Redemptoris Missio*, "there is an undeniable negative tendency, and the present document is meant to help overcome it." He cites Paul VI, who pointed to "the lack of fervor which is all the more serious because it comes from within. It is manifested in fatigue,

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disenchantment, compromises, lack of interest, and above all lack of joy and hope." Those are the symptoms, John Paul suggests. The causes are cultural and, mainly, theological. What he calls the negative tendency "is based on incorrect theological perspectives and is characterized by a religious relativism which leads to the belief that 'one religion is as good as another.' " He thinks it an "insidious" factor that some people invoke the teaching of the Second Vatican Council in order to justify indifference to the missionary task.

Early on, John Paul lays out the questions to which he proposes to offer answers. "[As] a result of the changes which have taken place in modern times and the spread of new theological ideas, some people wonder: Is missionary work among non-Christians still relevant? Has it not been replaced by inter-religious dialogue? Is not human development an adequate goal of the Church's mission? Does not respect for conscience and for freedom exclude all efforts at conversion? Is it not possible to attain salvation in any religion? Why then should there be missionary activity?" In proposing to respond to those questions, he has obviously given himself a hefty assignment.

A Universal Possibility of Salvation

John Paul repeatedly affirms the statement of Vatican II's *Gaudium et Spes* that "we are obliged to hold that the Holy Spirit offers everyone the possibility of sharing in the paschal mystery in a manner known to God." He insists, however, that that teaching in no way undercuts the uniqueness and universal significance of God's self-revelation in Jesus Christ. On the contrary, the universal possibility of salvation is premised upon the uniqueness of the Christian truth. Put differently, the claim that salvation is possible for everyone, including non-Christians, is inseparable from Jesus Christ, who is "the way, the truth, and the life" to whom Christians bear witness.

John Paul says with Peter, "There is salvation in no one else, for there is no other name under heaven given among men by which we must be saved" (Acts 4). The point is that those who are saved without knowing the name of Christ are nonetheless saved *by* Christ. The Pope states it this way: "No one, therefore, can enter into communion with God except through Christ, by the working of the Holy Spirit. Christ's one, universal mediation . . . is the way established by God himself. . . . Although participated forms of mediation of different kinds and degrees [through other religions] are not excluded, they acquire meaning and value only from Christ's own mediation, and they cannot be understood as parallel or complementary to his." Other religious ways may be salvific only because they participate, albeit unknowingly, in the salvation worked by the the One who is the Way.

Toward an Ultimate Unity

Thus, despite the failures of Christians and non-Christians alike, God's plan is "to unite all things in Christ, things in heaven and things on earth" (Eph. 1). In that plan, the Church is the sacrament of salvation, and here John Paul cites *Lumen Gentium* of Vatican II. "To this catholic unity of the people of God, therefore . . . all are called, and they belong to it, or are ordered to it in various ways, whether they be Catholic faithful or others who believe in Christ or finally all people everywhere who by the grace of God are called to salvation." He goes on to comment, "But it is clear that today, as in the past, many people do not have an opportunity to come to know or accept the Gospel revelation or to enter the Church. . . . For such people, salvation in Christ is accessible by virtue of a grace which, while having a mysterious relationship to the Church, does not make them formally part of the Church." Such universally available grace is not something natural to the human condition apart from Christ. "This grace comes from Christ; it is the result of his sacrifice and is communicated by the Holy Spirit."

"It is necessary," says the Pope, "to keep these truths together, namely, the real possibility of salvation in Christ for all mankind and the necessity of the Church for salvation. Both these truths help us to understand the one mystery of salvation, so that we can come to know God's mercy and our own responsibility." Most Catholics and Protestants may readily agree that it is necessary to keep those truths together, but it is not always easy. The fact is that many Christians today are puzzled, even embarrassed, by the heroic stories of missionaries of the past who braved unspeakable persecutions and even martyrdom in carrying out the missionary mandate to the nations. According to a good many contemporary theologians, it used to be that the "ordinary" means of salvation was through Christ and his Church, while allowance was made for "extraordinary" means in the case of those who never had a chance to hear the Gospel. But now, the argument goes, the situation has been reversed; the ordinary has become the extraordinary, and the extraordinary the ordinary.

Well aware of that way of thinking, John Paul nonetheless declares: "The mission of Christ the redeemer, which is entrusted to the Church, is still very far from completion. As the second millennium after Christ's coming draws to an end, an overall view of the human race shows that this mission is still only beginning and that we must commit ourselves wholeheartedly to its service." His intention is to "relaunch the mission *ad gentes*." "Christian hope sustains us in committing ourselves fully to the new evangelization and to the worldwide mission." Then this vision: "As the third millennium of the redemption draws near, God is preparing a great springtime for Christianity, and we

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can already see its first signs."

Six Reasons

A bracing vision, the skeptic may observe, but it is also unconvincing. What possible reason, what urgently compelling reason, can motivate Christians to commit themselves wholeheartedly to missions? If in God's plan salvation is already available to all—available through Christ, to be sure—what is the irresistible incitement to give oneself to the missionary endeavor? It is fine for the Pope to say that "missionary activity represents the greatest challenge for the Church today," but why, finally, should Christians care about the mission *ad gentes*—or why should they care as much as John Paul so earnestly wants them to care?

The reasons are not set out systematically, but one can extract from *Redemptoris Missio* six distinct, although not separable, arguments for commitment to the evangelization of the world. Not necessarily in order of importance, the six arguments are these: the nature and vitality of the Church; love of neighbor; duty to neighbor; Christian unity; obedience to the mission of Christ; and the concern of Christians for their own salvation.

"In the Church's history," John Paul writes, "missionary drive has always been a sign of vitality, just as its lessening is a sign of a crisis of faith." "Missionary activity," he contends, "renews the Church, revitalizes faith and Christian identity, and offers fresh enthusiasm and new incentive. Faith is strengthened when it is given to others!" What the Pope says about the vitality of the Church would seem to be historically and psychologically undeniable. Beyond that, he employs elaborate biblical support in arguing that it is the very nature of the Church to be missionary. "The preaching of the early Church was centered on the proclamation of Jesus Christ, with whom the kingdom was identified." Although John Paul does not put it quite this way, the implication is that, absent missionary commitment, the continuity between the contemporary Church and the New Testament Church is obscured, perhaps even thrown into question.

In addition to the vitality and nature of the Church, the Pope argues from the second of what Jesus called the great commandments, love for neighbor. "What moves me even more strongly to proclaim the urgency of missionary evangelization is the fact that it is the primary service that the Church can render to every individual and to all humanity," he writes. It is both the primary service and the utterly distinctive service. Other institutions can do many of the good things done by the Church, but only the Church proclaims the fullness of God's revelation in Christ. If the Church does not do that, nobody else will. "Every form of the Spirit's presence is to be welcomed with respect and gratitude, but the discernment of this presence is the responsibility of the Church, to which Christ gave his Spirit in order to guide her into all truth" (John 16). According to John Paul, for Christians not to do all they can to propose this fullness of life in Christ to others is, quite simply, to violate the law of love.

Third, and obviously related, is duty to the neighbor. "No believer in Christ, no institution of the Church, can avoid this supreme duty: to proclaim Christ to all peoples," says the Pope. "Faith demands a free adherence on the part of man, but at the same time faith must also be offered to him." He again quotes Paul VI: "The multitudes have the right to know the riches of the mystery of Christ—riches in which we believe that the whole of humanity can find, in unsuspected fullness, everything that it is gropingly searching for concerning God, man and his destiny, life and death, and truth." To abdicate the missionary task, then, is to deny human beings their rights. Put differently, they have "a right to know," so that they might have an opportunity to believe.

And Ecumenism

The fourth reason for recommitment to the mission *ad gentes* may strike some as a bit odd. "The missionary thrust," the Pope says in the first paragraphs of the encyclical, "therefore belongs to the very nature of the Christian life and is also the inspiration behind ecumenism: 'That they may all be one . . . so that the world may believe that you have sent me' (John 17)." Much later he returns to the question of Christian unity. Concern for mission, he writes, "will serve as a motivation and stimulus for a renewed commitment to ecumenism." This is because divisions among Christians "weaken their witness" to the world, and because reconciliation among Christians is itself a "sign of the work of God" that Christians proclaim. So, commitment to ecumenism is for the sake of mission, and a renewed commitment to mission requires commitment to ecumenism.

One notes in passing that ecumenism in *Redemptoris Missio* appears to be limited to those churches with which the Catholic Church "is engaged in dialogue." The aggressively missionary evangelicals and fundamentalists—and here the Pope surely has Latin America in mind—are viewed as a "threat," and it is intimated that the Catholic Church and its dialogue partners should join in opposing them. This apparently truncated ecumenical vision is tactically understandable, but it is not conspicuously consistent with what the encyclical says elsewhere about the nature of the Church and its mission.

The fifth argument, and John Paul says it is the most fundamental, is that mission is what God has done and is doing in Christ. "God has revealed to mankind who he is. This definitive self-revelation of

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God is the fundamental reason why the Church is missionary by her very nature." It is a question of letting Christ do his work. "He carries out his mission through the Church." The missionary mandate is a matter of obedience to Christ. The Pope cites the words of Jesus in John 20, "As the Father has sent me, even so I send you." The Good Shepherd searches out the lost and gives his life for the sheep (John 10), and therefore "those who have the missionary spirit share Christ's burning love for souls." It would seem to follow that those who don't don't. In short, for people who would be disciples of Christ the missionary mandate is not optional, for the only Christ who can be known is the Christ who declares his intention to be in continuing mission through his disciples.

Sixth and finally, the Pope's answer to the question "Why mission?" does come back to its being a matter of salvation. Except the salvation in question is not so much that of non-Christians as that of Christians. "Mission is an issue of faith," he writes, "an accurate indicator of our faith in Christ and his love for us." Or again, "Why mission? Because to us, as to St. Paul, 'this grace was given to preach to the gentiles the unsearchable riches of Christ' (Eph. 3)." Mission is required by "the profound demands of God's life within us." "Those who are incorporated in the Catholic Church ought to sense their privilege and for that reason their greater obligation of bearing witness to the faith." Once more he quotes *Lumen Gentium*: "They owe their distinguished status not to their own merits, but to Christ's special grace; and if they fail to respond to this grace in thought, word, and deed, not only will they not be saved, they will be judged more severely." So it turns out that salvation is at stake after all—the salvation of those who *are* Christians.

Truth Claims and Threats

These are the six reasons for the mission *ad gentes* that seem to emerge from a close reading of *Redemptoris Missio*. In this encyclical, John Paul is not simply issuing a pronouncement, he is making an argument. His argument challenges deeply entrenched fears about Christian "triumphalism," "cultural imperialism," and the such. It does not sit well with cultural prohibitions against "proselytizing," and it offends regnant notions of "tolerance" and "pluralism." The argument is, in sum, profoundly countercultural. The encyclical leaves no doubt that John Paul is aware of that. Catholics and non-Catholics who would engage the argument, however, must engage it at its heart, namely, that the truth claims of the Christian Gospel leave Christians no choice but to be people in mission to others.

Those who are not Christians may, understandably, be inclined to view any revival of the missionary mandate as threatening, or as a matter of indifference that is of interest only to Christians. To those who view it as threatening, John Paul adamantly insists that complete religious freedom and the rejection of every form of coercion is integral to the Gospel. "The Church imposes nothing; she only proposes." Those, on the other hand, who think the question of missions is purely an internal Christian concern fail to appreciate the powerful bearing that this question has on the attitude of 1.7 billion Christians toward world history, and, consequently, on the shaping of the third millennium. Whether the argument of *Redemptoris Missio* is consigned to the dusty shelves reserved for official ecclesiastical documents or is taken up by the several churches—Protestant, Catholic, and Orthodox—is a matter of enormous moment for the future of religion and public life.

FT

COUNTERING EXTREMISM

A price of democracy is putting up with extremists and demagogues. Sometimes they are small, marginal, and relatively ineffectual. The Ku Klux Klan, for instance. The police keep a close eye on such outfits and, while they're not likely to go away, they can hope for little more than institutional subsistence in the fever swamps that surround the civil order. Other extremists are well-funded and well-connected. They don't have to subtly insinuate their poison into our public life; they shout their hysteria from some of the most prestigious platforms in the society. Planned Parenthood, for instance.

PLANNED PARENTHOOD LOST A COURT CASE. AMERICANS LOST THE FIRST AMENDMENT. That's PP's contribution to civil discourse about *Rust v. Sullivan*, a case in which the Supreme Court declined to declare unconstitutional a rule that prevents government-funded clinics from promoting abortion. PP calls it the "gag rule." As though recognizing that public support for unlimited abortion "rights" is on the wane, the full-page PP advertisements in the *New York Times* and other major newspapers declare, MORE THAN ABORTION IS IN TROUBLE. In the last twenty years of PP demagoguery about abortion, Americans have been told innumerable times that they have lost the First Amendment. Those who believed it may read the current screeds with a sense of relief, being pleasantly surprised that the First Amendment is still around to be lost.

Of course the hysteria is thoroughly self-serving. PP is into the abortion industry in a very big way, performing 120,000 abortions per year (1990) that

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produce an annual income of about $30 million. (Roughly one-third of that money is provided by federal, state, and local government.) In addition, PP's piece of the abortion action is necessarily tied to the entire industry, whose 1.5 million abortions per year depend upon fending off any and all measures for the protection of the unborn. PP and its ilk are keenly aware that less than 20 percent of the American people share their enthusiasm for *Roe v. Wade*'s assertion of an unlimited right to abortion. They know that public sentiment is running against them. Little wonder, therefore, that their alarums consistently focus on the courts and refuse to recognize that abortion is a question legitimately addressed through the democratic process.

The regulation in question stipulates that government-funded clinics must tell those who inquire that the government "does not consider abortion an appropriate method of family planning." Of course PP thinks abortion is an eminently appropriate method of family planning. So it comes down to a difference of moral judgments (or, as the current jargon puts it, "value judgments"). PP insists that the government should fund its moral judgment. The great majority of the American people would seem to disagree. PP, not to put too fine a point on it, doesn't give a fig about democratic process. They demand that the courts impose the abortionists' moral judgment on the American people, and force taxpayers who disagree to pay for it, to boot. It is a truly impressive exhibition of anti-democratic effrontery.

Well-connected extremist views reach also into the highest courts. Justice Blackmun, the author of the infamous *Roe v. Wade* majority opinion, dissented in *Rust v. Sullivan*, writing that it endorses censorship of what anyone says on any job supported by government funds "so long as that restriction is limited to the funded workplace." Banging the old tocsin for all its worth, PP screams, "Freedom of speech may soon be something Americans exercise only after five o'clock and on weekends." Now that does sound worrying. Until we remember that we have all kinds of sensible regulations about what can be done on government time with government money.

For instance, in most government jobs employees are forbidden to campaign for political candidates, champion racist or sexist ideas, sell their own products for profit, or, for that matter, agitate against extremist groups such as PP. As for non-government employees being able to exercise freedom of speech only after five o'clock and on weekends, one cannot help but wonder what would happen to a prolife secretary or filing clerk at PP who wants to exercise freedom of speech about abortion on company time.

The clearest evidence that we are not about to lose the First Amendment is that the public square is filled with the distraught alarums of extremist elements such as PP, the KKK, animal rights terrorists, and proponents of "death with dignity" for the burdensome and parasitic. Of course not all extremists can afford full-page ads in the *Times* at $40,000 per whack. (Perhaps the *Times*, which considers unlimited abortion an integral part of its officially endorsed religion of goddess worship, gives PP a special rate.) In any event, whether upmarket or downmarket, extremism is extremism and demagoguery is demagoguery. We can be thankful for the First Amendment that prevents government from legally forbidding even some of its more morally abhorrent and fanatical expressions.

FT

Israel as Super Story

The media sometimes seem to be obsessed with Israel. Thomas Friedman of the *New York Times* notes that there are some 350 permanently accredited news organizations in Jerusalem and Tel Aviv. At times such as the December 1987 eruption of the Palestinian *intifada*, the influx of reporters is such that there is one foreign correspondent for every 6,000 Israelis. The reason is that Israel is a "super story," says political theorist Yaron Ezrahi. A super story is a collection of myths or ideological constructs tied together by a narrative. It helps us to explain the world to ourselves, to determine what information we will treat as significant.

"Like any colored lens," Friedman writes in *From Beirut to Jerusalem*, "it lets certain rays of light in and blocks out others. Religions are the most popular super stories, but so, too, are universalist ideologies such as Marxism. As it happens, the oldest, most widely known super story of Western civilization is the Bible: its stories, its characters, and its values constitute the main lens through which Western man looks at himself and at the world. The Jews—the ancient Israelites—are the main characters in this biblical super story. . . . Every American is familiar with a place like the Sea of Galilee—even though many states in the United States have lakes which are much bigger. But physical size is irrelevant in trying to understand why one country or people gets reported in the Western media and another doesn't. What matters is the size that country or people occupies in the super story, and when looked at that way, Israel becomes one of the largest of countries in the eyes of the West, while big countries such as China or Sudan become very small."

Friedman explains that, while the Palestinians garner a great deal of international attention, it is attention derived from the importance of Israel in the

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imagination of the West. He also explains why, in any conceivable future, Israel will continue to receive "inordinate" notice in cultures shaped by the story of God, a people, and a place—a story that many, both Christians and Jews, believe is far from being over.

FT

TWENTY-FIVE YEARS LATER

This item is for Catholics in particular, but not for Catholics only. Of the approximately 1.7 billion Christians in the world, one billion are Roman Catholics, and how they work out their problems or fail to work out their problems has a strong bearing upon the entire Christian reality in our time. In a promising attempt to address those problems, the editors of *Commonweal*, the Catholic lay journal, look back on the twenty-five years since the Second Vatican Council and try to make some sense of it all.

As they see it, the two contending sectors trying to define the Catholic reality are the "restorationists" and the "reformers." The restoration project is led by such as John Paul II and Joseph Cardinal Ratzinger. Apparently, they are in the ascendancy. The reformers, on the other hand, feel besieged. "After twenty-five years some have left the church entirely; others hide out in small communities of bitterness ever ready to see the church as an oppressor and to ascribe the worst motives to official pronouncements and actions." This strikes us as a peculiar portrayal of the viewpoints in contention.

If the reformers are defined as those opposed to what they think Cardinal Ratzinger represents, they may be bitter but they are hardly hiding out. They dominate prestigious Catholic universities and theological faculties, have superior access to the media, and control key posts in national bishops conferences and some of the largest religious orders. They by no means exercise the monopoly that many "traditionalist" Catholics portray, but those who tend to view this papacy as a threatening aberration and a betrayal of "the spirit of Vatican II" are certainly well secured in positions of influence. As in all such conflicts, it is extremely difficult for the parties involved to appreciate the self-understanding of their opponents. Oh wad some power the giftie gie us—to see others as they see themselves. One wonders if the editors of *Commonweal* might not do well to spend a little more time with those Catholics who view the "reformers" as the oppressive establishment.

The editors say that the restorationists ultimately will have to face up to the issues of participation, collegiality, and ecumenism, while the reformers need to come clean on the importance of catechesis, doctrine, and the life of faith. It is an interesting paring of issues that are presumably neglected by each side. To the extent that it is accurate (a very limited extent, in our view), one is led to ask which set of issues is more critical to the nature and mission of the church.

Continuing in an admirably temperate tone, the editors write: "Each side must turn from pursuing its own destructive course. On the one side, the theological and ecclesiological absolutes that grow not from our tradition but from the Vatican's idealized notion of the church are at odds with the everyday experience and life of the church; however forcefully these claims are asserted they can only end in discrediting religious authority. On the other side, the psychological, if not explicit, rejection of tradition and of papal and episcopal authority among would-be reformers can only end in further drift and theological and liturgical illiteracy." The editors conclude, "We are all responsible for the life of the church, but none of us is all-knowing or all-seeing about how to carry on its mission. That recognition in all quarters would in itself constitute a small miracle, and a necessary one." The suggestion is that, between reformers and restorationists, there is a kind of moral equivalence. "The future," we are told, "does not lie in some easy compromise of these two mistaken tendencies, but in the cultivation of a spirit of self-critical responsibility." But to what are Catholics to be self-critically responsive if not to the authoritative teaching and teaching offices that are distinctive to Catholicism?

Rome has frequently and in great detail indicated both the reach and the limits of magisterial authority. In the last year, for instance, the Congregation for the Doctrine of the Faith issued "The Ecclesial Vocation of the Theologian," spelling out, *inter alia*, the nature of both conscientious allegiance and conscientious dissent. Here and elsewhere, it is evident that the Vatican has moved far beyond the simplistic dichotomy between freedom of inquiry and submission to church authority. The spirit officially espoused is precisely what *Commonweal* calls for, namely, "a spirit of self-critical responsibility."

One must ask what is this "everyday experience and life of the church" that is presumably "at odds with" church authority. Is the experience that the editors have in mind self-critically responsible to what Catholicism defines as authoritative? Or is it more the case that such experience is uncritically responsive to those who favor, in the words of the editors, "rejection of tradition and of papal and episcopal authority"? If the latter, surely it is not church authority that is being "discredited" but that "everyday experience and life of the church" that must be challenged. It is passing strange that reformers should be so eager to defend the status quo of the "everyday experience and life of the church."

Commonweal styles itself as a liberal voice, and it

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does reflect a style of liberalism much more irenic and judicious than, say, the perpetually strident *National Catholic Reporter.* And yet, it seems that the editors are still in thrall to a conceptual confusion that has caused immeasurable mischief since Vatican Council II. Reform and restoration are not antithetical. Indeed the reformist impulse of the Council was driven by the theme of *ressourcement,* the attempt to restore and recover the full riches of the tradition in order to remedy some of the constrictions worked by the Counter-Reformation. *Aggiornamento,* or updating, was not a counter-theme of the Council. *Aggiornamento* was the renewal hoped for from a fuller appropriation of the tradition in conversation with the modern world. Most of the confusions of the last twenty-five years have stemmed from the "progressive" assumption that the modern world, rather than the tradition, is the source of renewal.

Those whom *Commonweal* says reject the tradition often seem bent upon replacing the tradition with the stiflingly truncated tradition of modernity. The tradition of the church through the centuries is ever so much more capacious, and intellectually interesting, than are the smelly little orthodoxies of the *Zeitgeist.* For the church to be in conversation with the modern world, it must be distinct from the modern world. Otherwise, it is simply part of a modern world talking to itself. Our argument over the years has been that this Pope and his collaborators, such as Cardinal Ratzinger, are, in fact, the party of reform. As much as we welcome *Commonweal*'s tone of moderation and fair-mindedness, it seems that the editors have not yet come to terms with that possibility.

FT

Perceiving the Presence

Octavio Paz is the author most recently of *Sor Juana: Or, the Traps of Faith* (Harvard). This past year he was awarded the Nobel Prize in literature and the following is from his speech of acceptance. "I begin with two words that all men have uttered since the dawn of humanity: thank you. Grace is gratuitous; it is a gift. The person who receives it, the favored one, is grateful for it, and if he is not base, he expresses gratitude. . . . If each of my words were a drop of water, you would see through them and glimpse what I feel: gratitude, acknowledgment, and also an indefinable mixture of fear, respect, and surprise at finding myself here before you."

Paz is bemused by time. "Modernity is an ambiguous term. There are as many types of modernity as there are societies. Each has its own. The word's meaning is uncertain and arbitrary, like the name of the period that preceded it, the Middle Ages. If we are modern compared with medieval times, are we the Middle Ages of a future modernity? . . . The idea of modernity is a byproduct of our conception of history as a unique and linear process of succession. The origins of this conception are in the Judeo-Christian tradition, but it breaks with Christian doctrine. In Christianity, the cyclical time of pagan cultures is supplanted by unrepeatable history, which has a beginning and will have an end. . . . Christians see the world, or what used to be called the *seculum* or worldly life, as a place of trial: in this world, souls can be lost or saved. In the new conception, by contrast, the historical subject is not the individual soul but the human race, sometimes viewed as a whole and sometimes through a chosen group that represents it: the developed nations of the West, the proletariat, the white race, or some other entity. The pagan and Christian philosophical tradition had exalted Being as changeless perfection overflowing with plenitude, but we adore change; it is the motor of progress and the model for our societies. Change articulates itself in two ways, as evolution and revolution. The trot and the leap . . .

"Thus, just as we have had philosophies of the past and of the future, of eternity and of the void, we shall have a philosophy of the present. The poetic experience could be one of its foundations. What do we know about the present? Nothing, or almost nothing. Yet the poets do know at least one thing: that the present is the source of presences. . . . [Modernity] is the instant, that bird that is everywhere and nowhere. We want to capture it alive, but it flaps its wings and vanishes in the form of a handful of syllables. We are left empty-handed. And then the doors of perception open slightly and the other time appears, the real time, the one that we were searching for without knowing it: the present, the presence."

FT

The Pope in Poland

Since the *New York Times* editorially declared its religious preference (goddess worship) earlier this year, its coverage of other religions has not noticeably changed. For instance, Stephen Engelberg regularly reports on Catholicism in Poland in the usual manner. The controlling story line includes several items. Although at the time the *Times* largely ignored the role of religion in the Revolution of 1989, it is now acknowledged that the church was

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politically useful in resisting Communism. Since the revolution, however, the church has become a threat, trying to "impose its values" on the Polish people and government. The key issue, wouldn't you know, is abortion. (Abortion, probably more than any other single issue, is the *Times*' litmus test of a just social order. Wholesale abortion as family planning was one of the policies of the former Communist regimes that the editors seem to approve.) Interviews, writes Mr. Engelberg, make clear "how strong a hold religion has on Poles, but among the believers it was not hard to find many who expressed open criticism of some church policies and officials." Hard or easy, Mr. Engelberg's reports "balance" enemies and friends of religious influence by a ratio of about ten to one in favor of enemies. If we credit the *Times*, the Pope visited Poland chiefly in order to thwart an emerging democracy that, with the help of unelected Communist deputies, is being constructed on the basis of dissent from religious authority. Mr. Engelberg's reporting is an extended editorial to the effect that the church, having rendered a useful service to the revolution, should now gracefully take its bow and surrender the stage to its secularist opponents. The *Times* is aware of "how strong a hold religion has on Poles." (The image is that of a hostile and oppressive force, rather than of belief popularly embraced.) But the *Times* is hopeful that there, as in the United States, its encouragement of dissent and opposition will break that hold in time. The prospect is that, with enough enlightenment, everyone will one day join the editors of the *New York Times* in turning from "the male gods" and bending the knee to the Great Earth Goddess.

A few days later, a Gabrielle Glaser is reporting on the Pope's trip. This headline on the front page of the *Times*: "Pope Delivers Angry Sermon on Abortion to Poles." We read, "His normally sonorous, pacific voice shaking with rage, the Pope departed from his prepared text and assailed Poland's moral state as if it were a personal affront. 'All of you who lightheartedly approach these matters, you must understand that I cannot but be concerned with these matters, that I cannot but be hurt,' he said during an open-air Mass. 'You also should be hurt.' " It takes little imagination to come up with the *Times* headline if the Pope had been criticizing, say, anti-Semitism or ethnic prejudices. "Pope Delivers Impassioned Plea Against Injustice." Only when the issue is abortion, the *Times*' litmus test of justice, does an impassioned plea become an "angry sermon." Of course almost all the people quoted in this front-page story are highly critical of the Pope. Said Anna Stetien, a store clerk, "Every Catholic has the right to make their own choices between right and wrong. That's what Christ taught us, after all." That's in Matthew's gospel, isn't it?

By the last day of the Pope's Polish visit Stephen Engelberg is back on the job. "Which Way Poland?" is the heading of his news commentary. Once again, we are told that the sonorous has been supplanted by the ranting. "The man whose sonorous voice stirred the momentum for the Solidarity movement was transformed this year into a fist-shaking warrior against Western decadence." Mr. Engelberg devotes half of his piece to the results of a survey conducted by Polish television. Here is the question that was posed: "Is it your opinion that the Catholic Church has the right to demand that people submit to it in the following matters?" The following matters are contraception, extramarital sex, divorce, and, of course, abortion. Surprise. A great majority of Poles did not think that the church has the *right* to *demand* that they *submit* to it in these matters. In case the reader missed the point, the story boldfaces it in a box: "Poles ignore the church on abortion."

Again, it takes little imagination to envision the response had the question been put differently. For instance: "Do you think the Polish people should try to keep public morality and law in harmony with Catholic teaching in the following matters?" But the response to that question would not serve to advance the "super story" to which the *Times* is committed. That super story, or party line, is that orthodox Christianity, and especially the Catholic Church, is an intolerable obstacle to the progress of modern secularity, whether in Poland or in the United States. The *Times*, once arguably the greatest newspaper in the world, has under Max Frankel become increasingly uninhibited in presenting itself as an ideologically driven organ captive to the wearily familiar agenda of the politically correct. It is a sadness.

FT

AN APPROXIMATION OF REPENTANCE

Robert Heilbroner of the New School for Social Research has for years been among the foremost and most thoughtful proponents of socialism. Unlike most folk who pronounce on such matters, notably including those in religious organizations, Heilbroner recognizes the error of his ways. He writes in *Dissent* on the Revolution of 1989. "What I find startling and disconcerting is that these massive historical trends have been largely unanticipated. The conventional wisdom with respect to socialism has been that it was, or would be, a success and that the future very likely belonged to it. The same wisdom with respect to capitalism was that its future was clouded."

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Who was open to considering the falsity of that position? Heilbroner responds, "Not a single writer in the Marxian tradition!" "Are there any in the left-centrist group? None that I can think of, including myself. As for the center itself—the Samuelsons, Solows, Glazers, Lipsets, Bells, and so on—I believe that many expected capitalism to experience serious and mounting, if not fatal, problems and anticipated some form of socialism to be the organizational force of the twenty-first century. . . . That leaves the right. Here is the part that's hard to swallow. It has been the Friedmans, Hayeks, von Miseses, *e tutti quanti* who have maintained that capitalism would flourish and that socialism would develop incurable ailments." Heilbroner draws what he admits is a "discomforting generalization." "*The farther to the right one looks, the more prescient has been the historical foresight; the farther to the left, the less so* (emphasis his)."

The biggest difference between right and left, says Heilbroner, is in their attitudes toward the malleability of human nature. At the end of his essay, however, Heilbroner indicates that he is not ready to cut all his ties to his ideological past. Whatever the monumental errors of the left, he suggests, it is the left that keeps open the future to change and experiment. Therefore: "To be a radical conservative or a conservative radical appears to offer the best chance to position oneself wisely with respect to the future—not to *predict* it, which only a fool could aspire to do, but to prepare for its blows and to secure its advances as best we can."

FT

"Sectarian"

Writing in *The Journal of Law and Politics*, which is published by the University of Virginia, Richard Baer of Cornell points out that the standard dictionary definitions of "sectarian" are all exceedingly pejorative. Among its more common symptoms are "bigoted," "narrow-minded," "heretical," "parochial," and "dogmatic." And yet in American jurisprudence, from the Supreme Court to local jurisdictions, "sectarian" has been and still is routinely used as a synonym for "religious." Such usage reinforces the prejudice that religion is opposed to what is common, public, and of general interest. After surveying this linguistic distortion and its deleterious effects, Baer concludes:

"A commitment by our courts, other government officials, and by the mass media to abandon the equation 'religious sectarian' would constitute a commendable first step in the move toward nondiscrimination and public justice. Although such a move would not in itself correct the confusion of Supreme Court decisions since *Everson* on the relation of the religious to the secular, it would at the very least improve the climate of discussion. It would help cast doubt on the correctness of the assumptions the courts have employed in wrestling with issues pertaining to religion and public life, and thus conceivably would open up the path to more rational constitutional interpretation."

FT

While We're At It

■ It would seem that there have been exposés enough of the trespasses of televangelists and their Barnumesque enterprises. *Televangelism and American Culture* by Quentin Schultze (Baker) is different. A committed Christian, Schultze takes no delight in the much publicized scandals associated with televangelism. The real scandal, he believes, is that, while purporting to fight secular humanism, televangelism may be a prime agent in the de-Christianizing of our culture. That the medium has become the message is manifestly evident in the style and content of much televangelism that is pitched to the lowest appetites of selfishness and superstition. Worst of all, the televangelist mode of religiosity, under the guise of "church growth," is making rapid inroads in shaping local church life—subsuming worship under entertainment, doctrine under personality cults, and turning congregations into audiences. Schultze writes: "One of the great dangers of televangelism is that it is able to deliver more aberrant messages to more people in less time than any previous mode of religious communication. In so doing, it has become far more than an identifiable religious movement with its own beliefs and practices. Like television programming generally, televangelism pervades American culture, distributing its diffuse messages to millions of people and crosscutting religious traditions by appealing directly to individuals. As a result, TV ministries have been shaping religious consciousness across the nation, delivering a warped gospel to hopeful Americans who represent all groups in the country's heterogeneous religious landscape. It is increasingly evident that what churchgoers consider to be the right theological stuff has been influenced by the new sorcery. The health-and-wealth gospel pervades the popular Christian media today and increasingly shapes local congregations' expectations of their pastors' preaching." *Televangelism and American Culture* is an important contribution to thinking about the Christian mission in our time.

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■ Glenn Tinder of the University of Massachusetts has written a fine book titled *The Political Meaning of Christianity.* The promotional piece from his publisher, HarperCollins, carries this headline: "AN INTELLIGENT AND DEEPLY CARING INQUIRY INTO LIVING IN THE WORLD BY CHRISTIAN PRINCIPLES." Now how do you suppose HarperCollins would have promoted Augustine's *De Civitate Dei* ?

■ "Catechesis" is the word for instruction in what Christians believe and why. The church has been at it for two millennia now. A 1985 extraordinary synod in Rome decided that Catholics could be doing a much better job of catechesis. So a "universal catechism" is being devised. Actually, it's a set of guidelines for the development of catechisms in different national and cultural settings. A preliminary draft was barely out before a group of academics perennially fretted by the suggestion that the church teaches much of anything in particular called a conference to raise the alarm. The result of that excitation is *The Universal Catechism Reader: Reflections and Responses* (HarperCollins), edited by Thomas Reese, S.J. A more accurate subtitle would be *Reactions*, but a new journal, *Catholic International*, seems to like the book. "Changes in textbooks are not the central problem in catechetics, what is called for is a renewal of the People of God. That, perhaps, is the real question raised by the Catechism project: to what extent does a yearning for it indicate a lack of faith in the dynamic of the People of God?" The real question, surely, is why anyone should think that the "dynamic" (whatever that might mean) of Christians precludes the need for effective Christian catechesis.

■ Vice President Joyce Miller of the AFL-CIO is president of the Coalition of Labor Union Women, which has published its annual "Hit or Ms. List" of people correct and incorrect. Only one religious figure gets a "Ms. Award." "Archbishop Rembert Weakland for supporting a more tolerant stance on prochoice views within the Catholic Church." Among the "Hits": "President George Bush and those in Congress who have relentlessly supported his pursuit of an anti-family domestic agenda." We doubt that Archbishop Weakland feels honored, or that President Bush feels hit.

■ Those on the prochoice side of the abortion debate usually take pains to have their case presented by "spokespersons" who are good, clean, upright, "pro-family" types. Not, however, our local newspaper, the *Times*. It is (as noted above) as fanatical on abortion as it is in praise of Gaia worship, and apparently does not care whom it offends. Here is a big op-ed piece titled "Abortion: An Inmate's View." It is by Jean Harris, who works with women in prison. The entire point of the article is that most of the women are poor, many are on drugs, and almost all have babies on the outside who should have been aborted. These children are a drag on everybody. "They will need years of special education classes" at a time when money for schools is in short supply. By cutting back on the availability of abortion we "have created a situation in which hundreds of thousands of women and children may be doomed to survive without loving care, health, dignity, and hope." The Jean Harris whom the *Times* presents as an authority on loving care, health, dignity, and hope is serving a life sentence for the murder of Dr. Herman Tarnower, inventor of the Scarsdale Diet. Are these editors serious?

■ Owen Fiss of Yale Law School is worried that John Frohnmayer, chairman of the National Endowment for the Arts (NEA), is something of a wimp. A new law directs the NEA to apply "general standards of decency" in making applications. This, frets Fiss in *The Nation*, could become "an internal operating principle of the NEA." In other words, it would be a terrible thing for the NEA to observe general standards of decency in its operations. Fiss acknowledges the good news that "controversial performance artist" Holly Hughes has been funded again. Ms. Hughes is noted for doing rude things of an erotic nature while naked on stage. Fiss does not draw too much comfort from her getting government support, however. He quotes Hughes as saying, "This might get tossed my way, but I think other artists whose identities are controversial—their race, their gender, their sexual orientation—are just going to be weeded out by the new internal changes in the NEA." Lacking things to worry about at Yale, Professor Fiss worries that general standards of decency means that NEA will not give grants to blacks, women, or homosexuals. He is the Alexander M. Bickel Professor of Public Law. It seems a shame. Alexander Bickel was so very sensible.

■ "P.O.V." (Point of View) is a PBS show to which the National Endowment for the Arts gave $250,000 this year. A recent program was called "Tongues Untied" and celebrated the black homosexual subculture in a manner that the producers readily acknowledged as being a bit on the raw side. Some PBS stations decided not to show it, others showed it at a later hour, presumably when the kiddies had gone to bed. Not WCET in Cincinnati, however. Said the station executive, "We chose to run it in prime time. We're not going to put this one show on at a different hour. That would be a cop-out. I don't think small children or even young teenagers should watch. It's not the kind of show I'd sit down and watch myself. But that's why people have 'on' and 'off' buttons. Choosing what people should watch—that's not the business we're in." Being translated: Of course it's junk, but that's the business we're in.

■ Christian Lesbians Out Together produces the nice acronym CLOUT. The organization was launched in New York by 113 clergy and laywomen

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from fourteen denominations. According to its statement of purpose, CLOUT will struggle in the churches against sexism, misogyny, heterosexism, homophobia, racism, anti-Semitism, anti-Arabism, U.S. imperialism, classism, ableism, clericalism, and "other structures of domination that foster oppression." The statement says the women will "explore new understandings of erotic power and sexuality, mutuality, commitment, faithfulness, and partnership that do not merely imitate or replicate sexist, heterosexist, or capitalist relationships of alienation and possession." Some of the better known founders of CLOUT are Ruth Frost and Phyllis Zillhart, who were irregularly ordained in the Evangelical Lutheran Church in America, Carter Heyward of the Episcopal Divinity School in Cambridge, Massachusetts, one of eleven women irregularly ordained in 1974, and Virginia Ramey Mollenkott, an evangelical who was a major figure in producing the Inclusive Language Lectionary sponsored by the National Council of Churches.

■ Paging the new catalog from Fortress Press helps one to understand why most clergy, never mind lay people, have given up reading theology. Amidst sundry liberationists, feminists, deconstructionists, and general pedantry, there was one title that caught our attention: *Dirt, Greed, and Sex: Sexual Ethics in the New Testament and Their Implications for Today* by William Countryman. It is accompanied by a recommendation from a Bishop George N. Hunt. Says Bishop Hunt, "*Dirt, Greed, and Sex* fills a large gap. . . ." We confess that it is one of the gaps that had entirely escaped our attention.

Sources: Planned Parenthood advertisement in the *New York Times*, May 28, 1991; figures on PP abortions and revenues from the Christian Action Council, based on information from the Alan Guttmacher Institute: 25 percent federal, 9 percent state and local; abortions cost an average of $250. Twenty-five year retrospective on Vatican II in *Commonweal*, December 7, 1990. Octavio Paz speech quoted in *The New Republic*, January 7, 1991. Stephen Engelberg quote on Catholic Church activism in Poland in the *New York Times*, June 1, 1991; Gabrielle Glaser article on the Pope's "angry" sermon in the *New York Times*, June 4, 1991; survey on abortion views in Poland, *New York Times* June 11, 1991. Robert Heilbroner on socialism in *Dissent*, Fall 1990. Richard Baer on the term "sectarian" in *The Journal of Law and Politics*, Spring 1990. On the Catholic catechesis, *Catholic International*, April 15-30, 1991. Jean Harris on abortion and choice in the *New York Times*, June 25, 1991. Owen Fiss on the NEA in *The Nation*, April 15, 1991. On the PBS show P.O.V., the *New York Times*, June 25, 1991. On CLOUT, Lutheran World Information, March 21, 1991.

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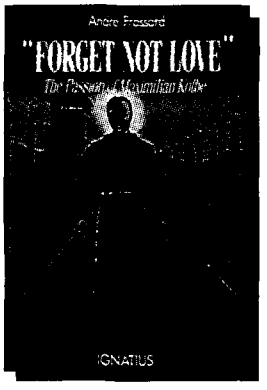

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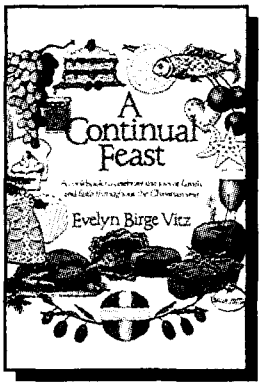

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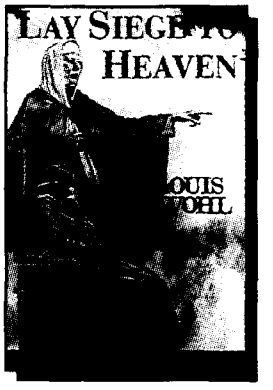

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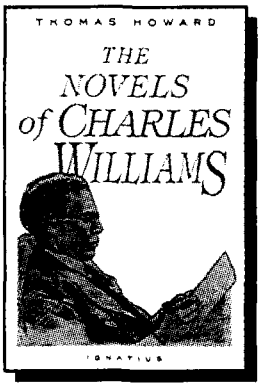

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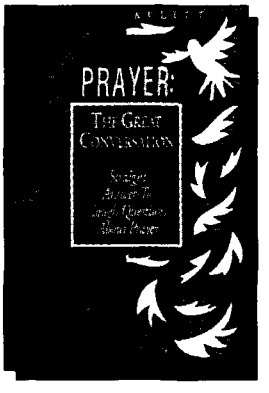

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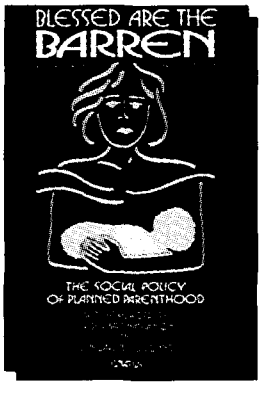

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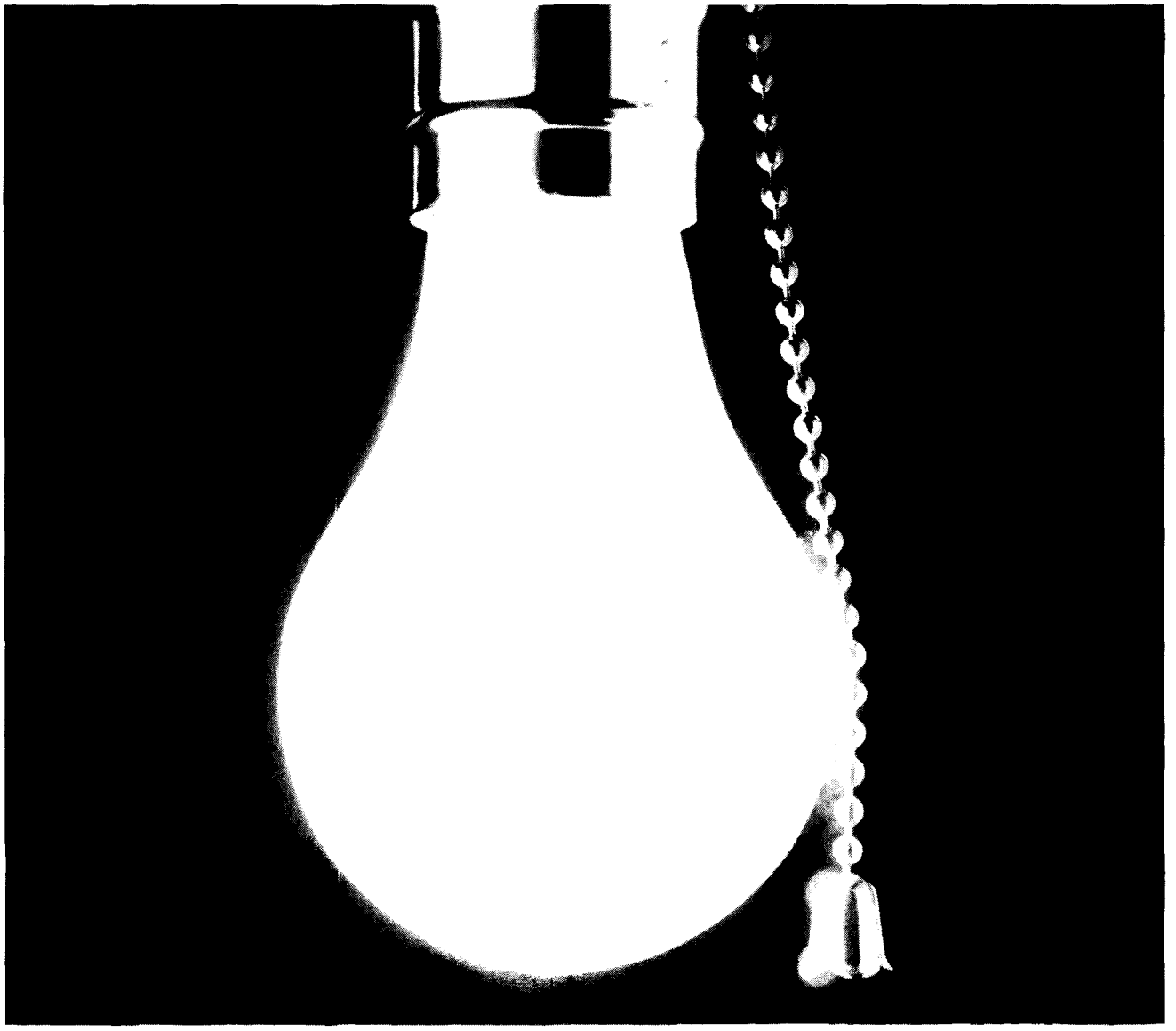

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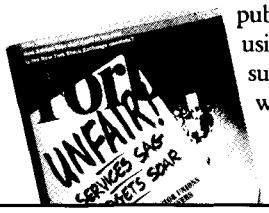

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